

+

446

1379219

A N
A C T

FOR THE BETTER
PAVING, CLEANSING, AND LIGHTING
THE
TOWN OF CAMBRIDGE;

FOR REMOVING AND PREVENTING
OBSTRUCTIONS AND ANNOYANCES;

AND FOR WIDENING THE
STREETS, LANES, AND OTHER PASSAGES
WITHIN THE SAID TOWN:

TO WHICH IS ADDED
A COPIOUS INDEX.

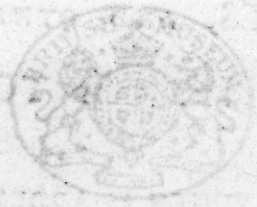
England Law 1811

CAMBRIDGE: PRINTED BY F. HODSON.
M DCC XCIV.

ACT
FOR THE BETTER
REGULATION OF THE
TRADE AND COMMERCE
OF THE
PORT OF CAMBRIDGE

ENACTED BY THE
COMMONS OF GREAT BRITAIN
IN PARLIAMENT ASSEMBLED

IN THE SEVENTH YEAR OF THE REIGN OF
HIS MAJESTY KING GEORGE THE THIRD



IN FORCE FROM THE FIRST DAY OF JANUARY
IN THE YEAR OF OUR LORD ONE THOUSAND
SEVEN HUNDRED AND EIGHTY EIGHT

PRINTED BY W. BELLAMY
AT THE CLERK OF THE PARLIAMENT'S OFFICE

An Act
of
and
oth

W
jesty
Cambr
cited
the P
Lanes
of Ca
lighte
many
jection
Tow
May
and b
and w
Temp
sembl
after t
thous
gistrat
Cambr
the Cl
the V
nors

ANNO VICESIMO OCTAVO
GEORGII III. REGIS.

CAP. LXIV.

An Act for the better paving, cleansing, and lighting the Town of Cambridge; for removing and preventing Obstructions and Annoyances; and for widening the Streets, Lanes, and other Passages within the said Town.

WHEREAS an Act of Parliament was made and passed in the thirty-fifth Year of the Reign of his late Majesty King *Henry* the Eighth, intituled, *An Act for Paving of Cambridge*: And whereas the Powers granted by the said recited Act have been found defective and insufficient to answer the Purposes thereby intended: And whereas the Streets, Lanes and Alleys, Publick Passages, and Ways of the Town of *Cambridge*, in the County of *Cambridge*, are ill cleansed and lighted, and are also very narrow and incommodious, from many Nuisances and annoyances, as well as from various Projections and Incroachments; and the Pavements of the said Town are extremely irregular, defective, and out of Repair; May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the twentieth day of *May*, in the Year of our Lord one thousand seven hundred and eighty-eight, the following Magistrates and Officers for the Time being of the University of *Cambridge*, and of the Colleges and Halls therein, (to wit,) the Chancellor, High Steward, Representatives in Parliament, the Vice Chancellor, or his Deputy, all the Heads or Governors of Colleges or Halls, or in their Absence their respective

Preamble.
35 Hen.
VIII.
Cap. 15.
Commis-
sioners.
Deputies

Deputies or *Locum tenentes*, and the Commissary, or in his Absence his Deputy, and also the following Magistrates and Persons of the Corporation of *Cambridge*, (to wit,) the High Steward, Recorder, or his Deputy, Representatives in Parliament, and the Mayor, or his Deputy, and the Aldermen for the Time being, together with Sir *John Hynde Cotton*, Baronet, *Francis Dickins*, *Charles Cotton*, *Henry Poynter Standly*, *Stephen Lushington*, Clerk, *William Vachell*, *Richard Greaves Townly*, *Ebenezer Hollick junior*, *Nathaniel Wedd*, *Joseph Beldam*, *Edmund Fisher*, Clerk, *Hale Wortham*, *Benjamin Keene*, *Henry Allen Lagden*, Clerk, *Samuel Knight*, *Busick Harwood*, *Henry Turner*, Clerk, *Thomas Parkinson*, Clerk, *Richard Eaton*, and *Jeremy Pemberton*, Clerk, shall be, and they are hereby appointed Commissioners for putting this Act, and the several Powers herein contained, in Execution.

Commis-
sioners
for the
Parishes.

II. And be it further enacted, That the Parishioners in each and every of the Parishes within the said Town, having a right to vote in the Election of Churchwardens, shall and may meet together in the Church or Vestry Room belonging to each Parish respectively, between the Hours of Ten and Twelve in the Forenoon, on the Second *Monday* after the said Twentieth Day of *May*, or as soon after as conveniently may be; and the major Part of such Parishioners, then and there assembled, shall and may proceed to the Election of One Person to be a Commissioner as aforesaid, for such respective Parish; and that in case of an Equality of Votes in the Election of a Commissioner for any such Parish, the Churchwarden standing first upon the List of Parish Officers then present, or in case no Churchwarden shall be present, the Person then present who shall stand highest rated to the Poor's Rate in the said Parish, shall have the Casting Voice; and the Name of every such Person so elected a Commissioner for each respective Parish shall be entered in a Book to be provided and kept for that Purpose by each respective Parish in their publick Chest.

How
Commis-
sioners
shall be
elected in
the Room
of such as
shall die or
become
disquali-
fied.

III. And be it further enacted, That when, and as often as, any of the Commissioners named aforesaid, who do not derive their Power from the past or present enjoyment of any Office, or from the Election of any Parish, shall die, or become disqualified, then, and in every such Case, it shall and may be lawful to and for the Survivors of them the said Commissioners, or their Successors (as herein-before mentioned), or any five or more of them; and they are hereby required, at a Meet-
ing

ing to be held in some convenient Place in *Cambridge* for that Purpose, after Ten Days publick Notice of the Intent of such Meeting, to elect another Person or Persons in the Room of him or them so dying or becoming disqualified; and every Person so elected shall have the same Powers and Authorities for putting this Act in Execution, as the Person or Persons in whose Stead he or they shall be so elected was or were vested with: Provided always, That no Person shall be so elected, or act under such Election, unless he resides in the County of *Cambridge*.

IV. And be it further enacted, That the Persons so elected for the said respective Parishes shall continue Commissioners until the *Easter Monday* next after such Election, or the Day on which Churchwardens are annually elected in such respective Parishes, and no longer; and upon the said *Easter Monday*, or the day on which such Churchwardens are annually elected as aforesaid, or within fourteen Days afterwards, the said Parishioners of each and every of the Parishes within the said Town of *Cambridge* shall proceed to a new Election of Commissioners, to be elected in manner aforesaid; and from thenceforth such Commissioners shall for ever after be annually elected in Manner aforesaid. Provided always, that no person so to be elected a Commissioner by the respective Parishes in manner aforesaid, shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall at the time of his acting be a resident Inhabitant within the said Town of *Cambridge*.

Continuance of Parish Commissioners.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the rents and profits of Lands, Tenements, or Hereditaments, of the clear yearly value of Forty Pounds, or possessed of or entitled to a Personal Estate of Eight Hundred Pounds; and if any Person, not being so qualified, shall presume to act, every such person shall, for every such Offence, forfeit and pay the sum of Fifty Pounds to any Person or Persons who shall sue for the same: to be recovered in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Effoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is qualified

Qualification of Commissioners.

Penalty on acting not being duly qualified.

as

as aforesaid, or otherwise shall pay the said Penalty, on proof given of his having acted as a Commissioner in the Execution of this Act.

VI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this act, until he shall have taken and subscribed an Oath before any five or more of the said Commissioners, at a publick Meeting to be held by virtue of this Act; who are hereby authorized and required to administer the same; and which Oath shall be in the words or to the following Effect:

The Oath. *I A. B. do swear, That I will truly and impartially, according to the best of my Skill and Judgement, execute and perform all and every the Powers and Authorities reposed in me in pursuance of the said act.*

So help me GOD.

And if such Person be elected a Commissioner by any of the Parishes in Manner aforesaid, such Person so elected, before he shall be capable of acting as a Commissioner in the Execution of this Act, shall also take and subscribe the following Oath:

The Oath. *I A. B. do swear, That I am, in my own Right, or in the Right of my Wife, in the actual Possession or Receipt of the Rents and Profits of a Real Estate of the clear yearly Value of Forty Pounds, or possessed of a Real or Personal Estate of the Value of Eight Hundred Pounds.*

So help me GOD.

**Commis-
sioners
dying, or
refusing to
act, others
to be ap-
pointed.**

VII. Provided always, and be it further enacted, That when and as often as any of the said Commissioners, who derive their Power from the Election of any Parish, shall die, remove, or refuse to act, then and in every such Case, within Twenty-one Days, it shall and may be lawful to and for such respective Parishes where such Vacancy happens, and they are hereby required in Manner and Form aforesaid, to elect another Person or Persons in the Room of him or them so dying, removing, or refusing to act; and every Person so elected shall have the same Powers and Authorities for putting this Act in Execution as the Person in whose Place he shall succeed was vested with,

VIII. And

VIII. And be it further enacted, That no person who shall sell Ale, Wine, or any spirituous or fermented Liquors by retail, shall be capable of being elected a Commissioner, or of holding any Office for the Execution of this Act.

No Retailer of Ale, &c. to hold any Office.

IX. And be it further enacted, That the Commissioners nominated and appointed by or elected in pursuance of this Act, or any five or more of them, may and shall meet and assemble in the Town Hall in the said Town, on the Third Monday after the said twentieth Day of May, between the Hours of Ten and Twelve in the Forenoon, in order to put this Act in Execution; and shall then, and from time to time afterwards, adjourn themselves to and meet at the same Place, or at any other convenient Place within the said Town, as they or the major part of them present at such Meeting shall appoint; and if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Commissioners, a sufficient Number thereof to act, and to adjourn to another Day (two Commissioners being always deemed sufficient for the Purpose of adjourning), or if they shall omit or neglect to adjourn, then and in every such case their Clerk, or any five or more of the said Commissioners, shall and may call a Meeting at the Place where the last Meeting was appointed to be held, on that day three weeks, between the hours of ten and twelve in the forenoon, Notice thereof being given as hereafter is directed.

First Meeting of Commissioners.

Future Meetings.

X. Provided always, and be it further enacted, That previous to any Meeting of the said Commissioners in pursuance of this Act subsequent to such first Meeting as aforesaid, Notice shall be given by the Clerk to the said Commissioners, by letter to be left at their respective Places of Abode, signifying the Time and Place of every such Meeting, three days at least before every such Meeting.

XI. Provided always, and be it further enacted, That no Commissioner hereby appointed, or hereafter to be appointed as aforesaid, shall be capable of acting or voting as such, during the time he shall enjoy any office of profit under, or be concerned in any Contract made by virtue of this Act, or in any Case wherein he shall be personally interested; and that at all Meetings to be held in pursuance of this Act, the Commissioners shall defray their own Expences.

Commissioners not to act where interested;

and at all Meetings to defray their own Expences.

XII. Provided always, That it shall and may be lawful to and for such of the said Commissioners as shall be in the Commission

Commissioners may act as Justices.

mission of the Peace, to act as Justices in the Execution of this Act, within their several and respective Jurisdictions, notwithstanding their being Commissioners.

Commissioners may appoint Officers,

and take Security,

Officers to deliver in written Accounts to Commissioners.

and swear they are just.

XIII. And be it further enacted, That the said Commissioners, or any five or more of them, shall and may, at their first or any subsequent meeting, appoint one or more Clerk, or Clerks, and Treasurer or Treasurers, and Collector or Collectors of the Rates, Assessments, and Duties, and also a Surveyor or Surveyors, and such other officer or officers for the execution of this act, as they the said Commissioners, or any five or more of them, shall think proper; and from Time to Time remove him or them, and appoint others in the room of such of them as shall be so removed, or shall die, or shall otherwise relinquish or discontinue such Office; and out of the monies to be raised by virtue of this Act, make such Allowances to the said Officers, and to all other Persons by them the said Commissioners employed in the execution of this Act, as they, or any five or more of them, shall think reasonable; and the said Commissioners, or any five or more of them, shall, and they are hereby required to take Security from their Treasurer and other Officers, for the due Execution of their respective Offices, as the said Commissioners, or any five or more of them, shall think proper; and such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money and Duties hereby granted, shall pay the same to such Person or Persons as shall from time to time be so appointed to collect and receive the same, and according to the true Intent and Meaning of this Act; and all such Officers and Persons shall, under their Hands (at such Time and Times and in such Manner as the said Commissioners, or any five or more of them, shall direct,) deliver to such Commissioner or such person or persons as they, or any five or more of them shall appoint, true and perfect Accounts, in Writing, of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been by such Officer or Officers, and Person or Persons respectively received by virtue of this act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or any five or more of them, or to such person or persons as they shall appoint; and all the said Officers

and Persons so accounting as aforesaid, shall, upon Oath, if
 thereunto required by the said Commissioners, or any five or
 more of them, (which Oath the said Commissioners, or any
 two or more of them, are hereby impowered and required to
 administer), verify their said Accounts; and if any such Offi-
 cer or Person shall not make and render, or shall refuse to
 verify upon Oath, any such Account, or to produce or deliver
 up the Vouchers relating to the same, or to make Payment
 as aforesaid, or shall not deliver to the said Commissioners, or
 any five or more of them, or to such Person or Persons as they
 shall appoint, within three days after being therewith required,
 by any five or more of such Commissioners, all Books, Pa-
 pers, and Writings in his Custody or Power, relating to the
 Execution of this Act, or shall refuse or neglect to pay such
 Monies as, upon the Balance of any Account or Accounts,
 shall appear to be in their respective Hands, to the said Com-
 missioners, or any five or more of them, or as they shall di-
 rect or appoint; then, and in any of the Cases aforesaid, such
 Commissioners, or any five or more of them, may, and are
 hereby authorized and impowered to bring, or cause to be
 brought, any Action or Actions in the Names of such Com-
 missioners, or in the Name or Names of any two or more of
 them, against the Officer or Officers, Person or Persons, so
 neglecting or refusing as aforesaid, in order for the Recovery
 of the Monies that shall be in the Hands of such Officer or
 Officers, Person or Persons respectively; or if Complaint shall
 be made by the said Commissioners, or by any five or more of
 them, or by such Person or Persons as they shall appoint for
 that Purpose, of any such Refusal or Neglect as aforesaid, to
 any two or more of the Justices of the Peace for the said
 Town, such Justices may, and are hereby authorized and re-
 quired, by a warrant or warrants under their hands and seals,
 to cause such Officer or Officers, Person or Persons, so refusing
 or neglecting, to be brought before them, and, upon his and
 their appearing, or not being to be found, to hear and deter-
 mine the Matter in a summary Way: And if upon the Con-
 fession of the Party or Parties, or by the Testimony of any
 credible Witness or Witnesses, upon Oath, (which Oath such
 Justices are hereby impowered to administer), it shall appear
 to such Justices that any of the Monies that shall have been
 collected or raised by virtue of this Act, shall be in the hands
 of such Officer or Officers, Person or Persons, such Justices

On Refu-
 sal, may
 be sued
 by Com-
 missioners,

or brought
 before two
 or more
 Justices.

For Want
of Distress,
Officers
may be
commit-
ted.

may and are hereby authorised and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer, or Officers, Person or Persons, can be found sufficient to answer and satisfy the said money, and the charges of distraining for the same; then, and in any of the cases aforesaid, such Justices shall commit every such Offender to the common Gaol or House of Correction for the said town, there to remain without Bail or Mainprize, until he shall give and make up a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any five or more of them, and shall have paid such Composition in such Manner as they shall appoint; which Composition the said Commissioners, or any five or more of them, are hereby empowered to make; or until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners, or any five or more of them.

Collector
dying, or
incapable,
another
Person to
be ap-
pointed.

XIV. Provided always, That as often as any Collector of the Monies to be raised by virtue of this Act shall die, resign his Office, or be incapable of performing his Duty, it shall be lawful for any five or more of the said Commissioners (of whom the Vice Chancellor and Mayor, or their Deputies, to be always two), though not assembled at any Meeting pursuant to this Act, by any Writing under their Hands, to appoint another Person to collect such Monies; and such Person shall continue to collect the same, until the Commissioners shall, at a Meeting to be held in pursuance of this Act, appoint a Collector of such Monies; any Thing herein contained to the contrary notwithstanding.

Collector
dying, or
becoming
Bankrupt,
his Estate
liable to
the Pay-
ment.

XV. And it is hereby further enacted, That if any Collector or Collectors shall happen to die or to become Bankrupt before he or they shall have fully paid and satisfied all the Monies by him or them received by virtue of this Act, or made such Composition for the same as the said Commissioners shall agree to accept, then, and in every such Case the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives of such collector or collectors, or the Assignee or Assignees, of his or their Estate and Effects, or other person or persons possessing the same, shall, in the first

Place

onpay- Place, out of such Estate and Effects, pay unto the Treasurer
 Hands of the said Commissioners for the Time being all such sums of
 efs and Money as were in the Hands of such Collector or Collectors at
 Officers, the Time of his or their Death, or at the Time of suing out
 Chattels any Commission of Bankruptcy against him or them, or so
 e found much thereof as the said Estate or Effects shall extend to pay;
 charges and the Receipt of the said Treasurer shall be a good Discharge
 he cases for the said Money; and every Executor and Administrator,
 tender to Assignee or Assignees, or other Person as aforesaid, may, to any
 d town, Action or Suit commenced or brought against him or them,
 shall give plead or give in Evidence the Payment of the same, and shall
 ment as be allowed such Payment out of the Estate or Effects of such
 Commis- Collector or Collectors prior to any other Debt or Demand
 paid such whatsoever; and in case of Nonpayment of the same by the
 ; which Space of one Calendar Month after the same shall be demanded,
 more of unless the Commissioners think proper to allow further Time,
 shall deli- which they are hereby impowered to do, it shall and may be
 esaid, or lawful to and for the said Commissioners, or any five or more
 issioners, of them, to commence and prosecute one or more Action or
 Actions for the same in any of His Majesty's Courts of Record
 llector of against such Executors or Administrators, Assignee or Assign-
 ie, resignees, or other Person as aforesaid.
 t shall be XVI. And be it further enacted, That if any Person who Officers
 (of whom shall be employed as a Clerk, Treasurer, Collector, or Survey- not to take
 , to be al- or, or any other Officer or Servant who shall be anyways em- Fee or Re-
 rnsuant to ployed by the said Commissioners, in putting this Act, or any ward,
 point ano- of the Powers thereof, in Execution, shall exact, take, or other than
 rson shall accept any Fee or Reward whatsoever, other than such Sala- their Sala-
 ners shall ries, Allowances, and Rewards as shall be appointed, allowed, ries;
 appoint and approved of by the said Commissioners, or any five or more
 ntained to of them, for or on Account of any Thing done or to be done
 by virtue of this Act, or on any Account whatsoever relative
 y Collector to the putting this Act in Execution; or shall anyways be nor to be
 rupt before concerned in Interest in any Bargain or Contract made or to interested
 Monies be made by the said Commissioners, or any of them, for the in any
 made such Purposes of putting this Act in Execution; every such Person Contract,
 shall agree to offending shall be incapable of ever serving or being employ- &c. under
 ors or Aded under this Act; and shall, over and above, forfeit the Sum the Penal-
 r legal Re of fifty Pounds to any Person or Persons who shall sue for the ty of 50l.
 collector same, by Action of Debt, Bill, Plaint, or Information, in any
 nd Effect of his Majesty's Courts of Record, within six Calendar Months
 , in the fir after the Offence committed; in which said Suit no Esloin,
 Place
 B 2
 Protection,

Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Proceed-
ings to be
entered.

XVII. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of the Names of all the Commissioners who shall duly qualify in pursuance of this Act; and of all their Acts, Orders, and Proceedings, relative to the Execution of this Act; and of the Names of all such Commissioners as shall be present at their respective Meetings; and one or more of the said Commissioners, or their Chairman, shall always subscribe his or their Name or Names at the End of the Proceedings of the said Commissioners at every such Meeting; and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be allowed to be read as Evidence in all Cases, Suits, and Actions, touching any thing done in pursuance or by virtue of this Act; and that such Book or Books shall, at any of the Meetings of the said Commissioners, and at all other convenient Times under Direction of the Commissioners, be open and liable to the Inspection of all and every the said Commissioners, and all and every the Persons rated and assessed for the Purposes of this Act, and also of all and every the Creditors and Annuitants on the Rates or Assessments and Duties hereby granted and made payable.

Books
shall be
open to
Inspection.

No Act to
be valid
unless at a
Meeting.

XVIII. Provided always, and be it enacted, That no Act of such Commissioners shall be valid, unless done or made at some public Meeting, which shall consist of five Commissioners at the least.

No Orders
to be re-
voked, un-
less at a
Meeting
for that
Purpose,
and by a
greater
Number
than made
the same.

XIX. Provided always, That no Order made by the said Commissioners, at any of their Meetings, shall be revoked or altered, unless at some Meeting to be holden for that Purpose (of which Seven Days Notice shall be given as aforesaid); and also, unless a greater Number of Commissioners shall attend at such Meeting to revoke or alter the same, than were present to make such Order; any Thing in this Act contained to the contrary hereof notwithstanding.

Powers
vested in
Commis-
sioners, to
be exercis-
ed.

XX. Provided also, and it is hereby enacted and declared, That all the Powers and Authorities by this Act granted to or vested in such Commissioners, shall and may, from Time to Time, be exercised by the major Part of them as shall attend at any public Meeting to be holden as herein-before mentioned the Number of such Commissioners present at such public Meeting

Meeting not being less than five, excepting in such cases where a greater Number is declared necessary by this Act; and all the Orders and Proceedings of the major Part of such Commissioners present at such public Meeting, shall have the same Force and Effect as if done or made by all such Commissioners for the Time being, and that the Chairman shall also have a casting Voice in all Cases of Equality.

XXI. And be it enacted, That from and after the said twentieth Day of *May*, the Office of Surveyor of the Highways for any Parish or Parishes within the said Town, included within this Act, having no publick Roads or Highways, but what are hereby put under the Care of the said Commissioners, shall cease and determine.

XXII. And be it further enacted, That the Treasurer to the said Commissioners shall and may, and he is hereby authorised and required, out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money, which the said Commissioners, or any five or more of them, shall, from Time to Time, draw upon him for, or order him to pay; and the said Treasurer shall, and he is hereby required to keep regular and clear Entries, in a Book or Books to be for that Purpose by him provided and kept, of all and singular his Receipts and Payments on Account or in pursuance of this Act; and shall, on the first *Monday* in the month of *January*, yearly, or at the first Meeting of the said Commissioners then next following, have the Accounts audited, passed, and allowed by the said Commissioners, or any five or more of them.

XXIII. And, for raising Money towards answering and defraying the Charges and Expences of obtaining and passing this Act, and carrying the same into Execution; be it further enacted, That the said Commissioners, or any five or more of them, shall, and are hereby authorised and required, once in every Year, to ascertain the Sum or Sums to be paid by Rate or Assessments on the several Inhabitants of the Town of *Cambridge*, and to levy such Sum or Sums by a Rate not exceeding one shilling in the pound for each year, upon the several Tenants or Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said town, according to the annual value of the same respectively; Such annual value to be from time to time settled according to the respective Rents such Houses, Buildings, Gardens, Tenements and Hereditaments, shall be respectively rated at, for the Relief of the Poor

Poor of the several Parishes of the said Town, in which such Houses, Buildings, Gardens, Tenements, and Hereditaments, shall respectively stand or be, previous to the making of such Rate or Assessment by the said Commissioners; and the first Year for which such Rate or Assessment shall be made, shall commence at, and be computed from, the twenty fifth Day of *March* one thousand seven hundred and eighty-eight; and the Monies so to be rated and assessed shall, from time to time, be paid by equal Quarterly Payments to the Collector or Collectors, to be appointed as aforesaid, and be paid over by such Collector or Collectors into the Hands of the Treasurer to the said Commissioners; and in order to make such Rates or Assessments, the Churchwardens and Overseers of the Poor of the said Town of *Cambridge* shall, and are hereby required, at all seasonable Times, to permit the Treasurer, Clerk or Collector to the said Commissioners, or any other Person to be appointed by the said Commissioners, or any five or more of them, to peruse, inspect, and take Copies of the Rates or Assessments made at any time within Seven Years next preceding, for the Relief of the said Poor, and to take a Copy thereof; and if any such Churchwardens, and Overseers of the Poor shall refuse or neglect to permit any such Perusal or Inspection, or the taking of any such Copy, he or they shall for every such Refusal or Neglect forfeit and pay the Sum of forty Shillings, to be recovered before any one of his Majesty's Justices of the Peace for the said Town of *Cambridge*, in like Manner as other Penalties are hereby directed to be recovered: Provided also, That nothing in this Act contained shall extend, or be construed to extend, to subject the Chancellor, Masters and Scholars of the University aforesaid, to pay any Rates or Assessments for, or in Consideration of the Botanick Garden in the said University.

Assess-
ments to
be paid
Quarterly.

Rate
Books to
be inspect-
ed.

Rates on
Houses let
to divers
Tenants,
to be paid
by the
Tenant as-
sessed.

XXIV. And whereas several Houses within the said Town may be, by the Landlords or Owners thereof, let out into Lodgings or Tenements, to divers Tenants, whereby it may be difficult to rate such Houses, and to recover such Rates and Assessments when made; for Remedy thereof, be it enacted, That the said Commissioners, or any five or more of them, shall and may rate or assess any Person or Persons who stand charged or assessed in the Overseer's Rate-book for such House or Houses, which shall be occupied by two or more Tenants; and the Person or Persons so charged or assessed in the Overseer's Rate-book shall pay the same accordingly.

XXV. And

XXV. And be it further enacted, That One Third Part of Rates to be borne between Landlords and Tenants, the said Rates or Assessments shall be borne and defrayed by the respective Landholders, and Two Third Parts thereof by the respective Tenants or Occupiers of the said Messuages, Buildings, Gardens, Tenements, and Hereditaments to be rated and assessed by virtue of this Act; but all such Rates or Assessments shall from time to time be paid to the said Collector or Collectors by the respective Tenants or Occupiers of the said respective Houses, Buildings, Gardens, Tenements, and Hereditaments; and all such Tenants or Occupiers shall have liberty, and they are hereby authorised and impowered, to deduct and retain out of their respective Rents such Sums of Money as they shall respectively pay as aforesaid, for and on behalf of their respective Landlords; and all such Landlords are hereby respectively required to allow such Deductions and Payments upon Receipt of the Remainder of their respective Rents: Provided always, That if any such Tenant or Occupier as aforesaid, by reason of his or her Poverty only, is or shall be excused from Payment of the Rates made for the Relief of the Poor of the Parish wherein he or she shall reside, or shall not be charged therewith; then, and in every such Case, such Tenant or Occupier shall pay only such Part of such Rates and Assessments under this Act as the Landlord is obliged to pay; and such Tenant or Tenants shall and may deduct such Payment out of his or their Rent, which the Landlord is hereby required to allow.

XXVI. Provided always, and be it further enacted, That Not to make void any Contract between Landlord and Tenant, touching or concerning the repairing any of the Pavements in the Streets, and other Places, within the said Town: And the Lessees of Colleges or Halls and Tenants to the University Estates in the said Town, shall, in all Cases, be deemed the Landlord, for the Purposes of this Act.

XXVII. Provided also, and be it further enacted, That no No Tithes, Farm, or Land, to be rated, thing in this Act shall extend, or be construed to extend, to rate or assess any person or persons for any Tithes impropriate, Appropriation of Tithes, Modus, or customary Payment in lieu of Tithes, nor for any Farm, Meadow, Pasture, or Arable Land, rented or occupied by any of the Inhabitants of the said Town of Cambridge (save and except only as to the value of his,

XXV. And

his, her, or their Dwelling-house, Yards, Gardens, and Out-houses, immediately contiguous thereto, and situate in the Town of Cambridge aforesaid.)

For reco-
vering the
Rates,

XXVIII. And be it further enacted, That if the Tenant or Occupier of any House, Building, Garden, Tenement, or Hereditament, upon or in respect of which any Rate or Assessment shall be laid or made by virtue of this Act, shall neglect or refuse to pay the Rates and Sums of Money which shall be so rated or assessed as aforesaid, for the space of Seven Days after the same shall be due, and demand thereof made by notice in Writing under the hand of the Collector of the said Rates, to be delivered to, or left at the Dwelling-house or usual Place of Abode of such Tenant or Occupier; then, upon proof thereof upon Oath before any Justice of the Peace for the said Town (which Oath such Justice is hereby empowered to administer,) the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of every such Tenant or Occupier, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) upon demand to the Owner of such Goods and Chattels, after deducting all Costs and Charges of such Distress and Sale.

Appoint-
ment of
Assessors
and Col-
lectors.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any five or more of them, yearly and every year, as often as there shall be occasion, by Writing under their hands, to nominate and appoint one or more Inhabitants of the said Town to be Assessors and Collectors of the Money to be raised by Rates or Assessments as herein-before directed; and, as soon afterwards as may be, shall issue their Order thereupon to such Assessors; who shall and are hereby required to rate and assess all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said Town and Parishes respectively, according to the respective annual Rents or Values at which they shall from time to time be respectively rated in the Parish Books; the first year for which such Rate or Assessment shall be made, shall commence at, and be computed from, the twenty-fifth day of *March* one thousand seven hundred and eighty-eight; and the Monies so to be rated and assessed shall, from time to time, be paid by equal Quarterly Payments, to the Collector or Collectors, as herein-before mentioned.

Omissions
in Rates to
be sup-

XXX. Provided always, and be it further enacted, That the said Commissioners, or any five or more of them, shall, as

any time or times hereafter, in any Rates or Assessments by them to be made by virtue or in pursuance of this Act, neglect or omit to rate or assess any Person or Persons liable to such Rates or Assessments, or shall under-rate or assess any Person or Persons liable to such Rates or Assessments, (and therein rated or assessed) then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any five or more of them, at any public meeting of the said Commissioners to be held in pursuance of this Act, to rate and assess in the said Rates or Assessments such person or persons so omitted; and to raise such person or persons so under-rated or assessed, in such manner as to the said Commissioners, or any five or more of them, shall seem just; so as the same do not exceed the Assessments to the Poor's Rate, which have been made in the respective Parishes, within three years previous to the passing of this Act; and such Additions or Alterations shall be as valid, to all Intents and Purposes whatsoever, as if the same had been part of the original Rates or Assessments; any Statute, Law, Usage, or Custom, to the contrary in anywise notwithstanding.

XXXI. Provided also, and be it further enacted, That no Rate or Assessment, to be made in pursuance of this Act, shall be valid until the same shall be allowed and signed by the said Commissioners, or any five or more of them; and the said Commissioners, or any five or more of them, are hereby empowered to amend any such Rate or Assessment, by inserting the Name of any person who ought to have been rated or assessed, or by striking out the Name of any person who ought not to have been rated or assessed in manner aforesaid: And the said Assessors shall and are hereby required to rate and assess every person whose name shall be so inserted, according to the Tenor, true Intent, and Meaning of this Act: And the said Assessors shall appear at such time and place as the said Commissioners, or any five or more of them, shall, by writing under their hands, order and direct, and then and there produce and deliver to them two Copies or Duplicates of the Assessment, fairly written and subscribed by them; and shall from time to time, upon any reasonable Notice to them given by the said Commissioners, or any five or more of them, or their Clerk, attend upon them at any of their Meetings, and at any Court of Quarter Sessions, or any adjournment thereof, or otherwise, as there shall be occasion, then and there to explain, amend, and justify such assessment; and that after any such Rate or Assessment

pled by
Commis-
sioners.

Rates may
be amend-
ed.

Who are to
pay the
Money as
the Com-
missioners
shall di-
rect.

Agree-
ments be-
tween
Landlord
and Te-
nant not
to be af-
fected.

Assessment shall be so made, allowed, and signed as aforesaid, the same shall be collected and received by the Collectors to be appointed as aforesaid, as soon as may be, of and from the respective persons on whom the same shall be rated, charged, or assessed; and the said Commissioners, or any five or more of them, shall, from time to time, as soon as may be after any such Rate or Assessment shall be made, allowed, and signed as aforesaid, transmit a duplicate thereof, under their Hands, to the said Collector or Collectors, and also issue their Order to the said Collector or Collectors, requiring him or them to collect and receive the respective Sums of Money expressed and contained in such Rate or Assessment; and such Collector or Collectors is or are hereby authorised and required to collect and receive the same accordingly; and every such Collector shall, and is hereby required, once at least in every Month, or oftner if required so to do by the said Commissioners, or any five or more of them, to pay the money so to be collected and received by him by virtue of this Act, to such person or persons as the said Commissioners, or any five or more of them, shall appoint to receive the same, to be applied for the uses and purposes herein-before mentioned; and shall and are hereby required, at the time of making every such payment, to deliver to the person or persons impowered to receive the same, a true and exact Copy or Duplicate of the Rate or Assessment whereby the same was collected, together with an account of all and every sum and sums of money rated and assessed in such Rate or Assessment, which shall remain uncollected (if any be,) together with the reasons why the same shall not have been collected, to the end that it may appear whether such nonpayment happened through the Insolvency of the party rated, or through the default of the Collector or Collectors.

XXXII. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, or between any Bodies Politick or Corporate, and any other person or persons, touching or concerning the paving or repairing the said Streets, Lanes, and publick Passages, or any part thereof; but that every Person, Body Politick or Corporate, who is or are now, by virtue of any such Contract or Covenant, obliged to pave or keep in Repair any of the said Streets, Lanes, and publick Passages, shall in lieu thereof be obliged to pay the Sums of Money hereby directed

foresaid, to be paid and levied, or so much thereof as shall by the said Commissioners, or any five or more of them, be deemed just and reasonable, according to the true meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners, or any five or more of them, shall, and are hereby authorised and required to hear and finally determine the same.

XXXIII. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of such House, Building, Yard, Garden, Land, Tenement, or Hereditament, before such Rates or Assessments shall be paid him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall be deficient to pay such Rates or Assessments; or if it shall happen that any of the said Houses, Buildings, Yards, Gardens, Tenements, and Hereditaments in the said Town shall be empty and untenanted; then, and in every such case, such Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, shall and the same are hereby made a Security for and chargeable with one third only of all such Rates or Assessments; and the one third part shall and may be levied by Distress and Sale (by warrant as aforesaid) of any Goods or Chattels which shall be found in or upon the same Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, or of the Goods, and Chattels of the Owner or Owners of such Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, in case such Owner or Owners shall neglect or refuse to pay the same for the space of twenty days next after the same shall be demanded of him, her, or them, by notice in writing under the Hand of the said Collector, to be delivered or left at the Dwelling-house or usual Place of Abode of such Owner or Owners, in case such Owner or Owners shall be within the said town; and in case such Owner or Owners shall not live within the said Town, then under the Hand and Seal or Hands and Seals of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place, where such Owner or Owners shall reside; and in case any Tenant or Tenants, Occupier or Occupiers, shall pay the said Collector any more Money on Account of the said Rates or Assessments than shall be due from him, her, or them, for the Rent of his, her, or their House, Building, Yard, Garden, or Houses empty; Premises &c. to be a Security for the same. Tenant paying more for Charges than shall be due for Rent, the

Overplus
to be made
good by
the Land-
lord.

den, Land, Tenement, or Hereditament, the Overplus there shall and may be levied on the Owner or Owners of such House, Building, Yard, Garden, Land, Tenement, or Hereditament, by Distress and Sale of the Goods and Chattels of such Owner or Owners, by Warrant under the Hand and Seals of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place where such Goods and Chattels shall be; such Owner or Owners having refused or neglected to pay the same for the space of ten Days after Demand made thereof by such Tenant or Tenants, Occupier or Occupiers, his or their Attorney or Agent for that Purpose appointed.

Who shall
be deemed
Owners.

XXXIV. And whereas some doubts may hereafter arise who shall be deemed the Owner or Owners of the several Houses, Buildings, Yards, Lands, Tenements, and Hereditaments in the said Town, for the Purposes and within the true Intent and Meaning of this Act; for removing whereof, be it further enacted, That neither the Chancellor, Masters, and Scholars of the University, nor any College or Hall, nor the Mayor, Bailiffs, and Burgeesses of the Town of *Cambridge*, nor any other Person or Persons, shall, on account of any Ground Rent or other Acknowledgement, Sum or Sums of Money, or Nature of a Ground Rent or Rents issuing out of or payable for any Messuage, Yard, Garden, Land, Tenement, or Hereditament in the said University and Town, or on account of their Reversion or Interest of or in the Messuage, Yard, Garden, Land, Tenement, or Hereditament for which such Ground Rent, Acknowledgement, Sum or Sums of Money shall be payable, be considered, deemed, taken, or adjudged to be the Owner or Owners, Proprietor or Proprietors of such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments; but the Lessee or Lessees of the said Chancellor, Masters, and Scholars of the said University, or of any College or Hall, or of the Mayor, Bailiffs, and Burgeesses, or of such other Person or Persons, or their Assigns, shall, during the Existence of the Term for which such Messuage, Yard, Garden, Lands, Tenement, or Hereditaments, shall be demised, be considered, deemed, taken, and adjudged, for all and every the Purposes of this Act, to be the Owner or Owners, Proprietor or Proprietors of such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments; and shall, during such Term, bear and pay the Expences and Impositions whatsoever, by force or virtue hereof to be borne or defrayed by the Owner or Owners, P

prie

erplus thereof
 vners of such
 ent, or Here
 nd Chattels of
 ing.

Hand and Seal
 e or Justices of
 n, Division, or
 such Owner or
 same for the
 y such Tenan
 ir Attorney or

XXXV. And be it further enacted, That in all Cases where Rates ap-
 any Person or Persons shall remove from or quit any House, portioned
 Building, Garden, Tenements, or Hereditaments, rated or between
 assessed, or liable to be rated or assessed, by virtue of this Act, Occupiers
 such Person or Persons shall be liable to pay such Rate or Af- quitting
 fessment, in proportion to the time that he, she, or they oc- and com-
 cupied the same respectively, in like manner as if such Person ming into
 or Persons had not removed or quitted the same; and in all any house,
 &c.

hereafter arise
 of the severa
 , and Heredita
 within the tru
 g whereof, be
 , Masters, an
 or Hall, nor th
 f Cambridge, o
 of any Groun
 ns of Money, i
 ut of or payabl
 ement, or Here
 or on account o
 e, Yard, Garden
 ch such Groun
 Money shall be
 djudged to be th
 f such Messuage
 taments; but th
 rs, and Scholars
 all, or of the sa
 er Person or Per
 ence of the Ter
 nds, Tenement
 nsidered, deem
 Purposes of th
 or Proprietors
 nements, or He
 bear and pay a
 y force or virtu
 or Owners, Pro
 prieto

any House, Building, Garden, Tenements, or Hereditaments,
 rated or assessed, or liable to be rated or assessed, as aforesaid,
 out of or from which any other Person, who shall have been
 rated or assessed for the same, shall be removed, or which at the
 Time of making any such Rate or Assessment, was empty or
 unoccupied, the Person or Persons coming into or occupying
 the same, shall be liable to pay such Rate or Assessment, in
 Proportion to the Time that such Person or Persons occupied
 the same, in like manner as if he, she, or they had been
 originally rated or assessed for such House, Building, Garden,
 Tenements, or Hereditaments; which said respective Propor-
 tions, in case of dispute, shall be settled and ascertained by the
 said Commissioners, or any five or more of them.

XXXVI. Provided also, and be it further enacted, That if Persons
 any Person or Persons, Bodies Politick or Corporate, shall aggrieved
 think himself, herself, or themselves aggrieved, by any Rate or may apply
 Assessment which shall be made in pursuance of this Act, such to the
 Person or Persons, Bodies Politick or Corporate, may apply for Commis-
 sioners.
 Relief to the said Commissioners, or any five or more of them,
 at any Meeting to be holden within Twenty-one Days next
 after Demand of such Rate or Assessment; but if no Meeting
 shall be held within such Time, then at the next Meeting
 which shall be held then after; and the said Commissioners, or
 any five or more of them, are hereby authorised and im-
 powered, if they shall think such Person or Persons, Bodies
 Politick or Corporate, aggrieved, to give such Relief in the
 Premises as to them shall seem reasonable.

XXXVII. And it is hereby further enacted, That if any In case of
 Dispute shall arise with regard to the Wages of Labourers Dispute,
 employed by virtue, or in or about the Execution of this Act, Wages of
 Labourers
 it may be

settled by it shall and may be settled by any two or more of his Majesty's Justices. Justices of the Peace for the said Town, whose Award shall be final and conclusive.

Pavements
to be re-
paired on
complaint

XXXVIII. And it is hereby further enacted, That after any of the said Streets shall be new paved under the Authority of this Act, if any Two Housekeepers within the said Town shall make Complaint in Writing under their Hands to the said Commissioners, of any Defect or Want of Repair in any of the Pavements of any of the said Streets, Lanes, Passages, or places, after the same shall have been new paved or repaired by virtue of this Act, then, and in every such Case, the said Commissioners shall forthwith cause the Pavement so complained of to be inspected by their Surveyor, and if the same shall by him be found defective, and so reported to the said Commissioners, they the said Commissioners shall forthwith give Orders to their Contractor or Contractors, Pavior or Paviers, to repair the same; and if the Contractor or Pavior of the said Commissioners, to whom such Order shall be given, shall not within Four Days next after the Receipt thereof repair the said defective Pavement, then, and in every such case, the said Contractor or Pavior shall forfeit and pay the Sum of Ten Shillings for every Day that the said defective Pavement shall remain unrepaired after the Expiration of the said Four Days.

Commis-
sioners
may
raise Mo-
ney by
Tolls.

XXXIX. And to the End and Intent that the useful Purposes of this Act may be the better and more speedily carried into Execution, and for and towards encreasing the Fund for defraying the Charges of paving, cleansing, and lighting the said Town, it is hereby further enacted, That upon and after the first Day of June next after the passing this Act, there shall be paid to the Receiver or Receivers, Collector or Collectors, to be nominated and appointed by any five or more of the Commissioners to be present at any Meeting after the passing this Act, for Stage Coaches and Diligences; and also for all loaded Waggons, Carts, Wains, and other Carriages; and also for Horses laden with any Goods, Wares, Merchandises, or other Commodities, coming to or going from or out of the said Town of Cambridge and Precincts thereof, the following Tolls Once in every Day, namely,

For every Stage Coach, Diligence, or other such Publick Carriage, carrying Passengers or Parcels for Hire, the Sum of One Shilling:

For

For every Waggon, Wain, Cart, or other such Carriage, laden with Goods, Wares, or other Merchandize, the Sum of Two-pence :

For every Horse, or other Beast of Burthen, laden with any Goods, Wares, or other Merchandize, the Sum of One Halfpenny :

For every Score of Kine or Oxen, Swine and Sheep, driven into or through the said Town or any Part thereof, the Sum of Two-pence :

For every Horse, Mare, Gelding, Colt, Filly, or Mule, driven or led into or through the said Town for Sale, the Sum of One Penny :

Which said Sums respectively shall and may be demanded and taken for and in the Name of a Paving Toll, over and above and exclusive of all other Tolls which are now, or lawfully may be, taken by the Mayor, Bailiffs, and Burgeffes of the said Corporation of *Cambridge*; and the Monies arising there- Tolls vest- from shall be and are hereby vested in the said Commissioners; ed in Com- and the same, and every Part thereof, shall be paid and applied missi- oners. first towards the Payment of the Interest of the Money to be borrowed as herein mentioned, on the Security of the said Tolls and Rates, and then towards the Share of the Expences herein directed to be levied on the several Inhabitants of the said Town of *Cambridge*: And it shall and may be lawful to Commis- sioners to and for such Person or Persons as the said Commissioners, or appoint Collectors thereof, any five or more of them, under their Hands and Seals, shall from Time to Time nominate and appoint, to demand and take the Tolls hereby granted or made payable; and also to levy the same upon any Person or Persons liable to pay the same, who shall, after Demand thereof made, neglect or refuse On Non- payment of Tolls Distress to be made. to pay such Tolls as aforesaid, by Distress of any Carriage or Carriages, or Cattle, upon which such Tolls are by this Act imposed; or by Distress of the Harness, or any other of the Goods and Chattels of the Person or Persons so neglecting or refusing as aforesaid, wheresoever the same may be found, and to detain and keep such Goods and Chattels so distrained until such Tolls, with the reasonable Charges of such Distress and Keeping, shall be paid; and such Person or Persons so distraining, after the Space of Four Days after such Distress made and taken, shall and may sell the Goods and Chattels so distrained, rendering the Overplus, if any be, upon Demand, to the

the Owner thereof, after such Tolls, and the reasonable Charges for distraining, keeping, and selling the same, shall be deducted, paid, and satisfied: And which several Tolls, shall be demanded, taken, and received, shall be paid to such Person or Persons so to be appointed Collectors thereof as aforesaid, within any of the Streets or other publick Passages of the said Town of *Cambridge*.

Tolls to be demanded and paid in any Part of the Town. XL. Provided always, That no Toll or Duty shall be demanded or taken for any Coach, Waggon, Cart, or other Carriage, Horses, or other Cattle, belonging to any Person residing within the said Town of *Cambridge*, other than an except such Coaches, Waggon, Carts, or other Public Carriages, Horses, or other Cattle, travelling for Hire: Provide also, That no Toll or Duty shall be demanded or taken for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the authority of his Majesty's Post-master General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same.

Inhabitants exempt from Toll, except travelling for Hire. XLI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, at a Meeting to be called for that Purpose (whereof Fourteen Days Notice to be given in the Newspapers published in the said Town, or if no Newspaper is published in the said Town, then in some other Newspaper circulated therein) from Time to Time, as they shall see Occasion, to vary, lessen, and reduce the said Tolls by this Act granted, and afterwards raise the same again, so as not to exceed the Sums hereby granted; and such Tolls, so varied, lessened, and reduced shall be collected, recovered, and applied in such Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

Commissioners may reduce or raise the Tolls. XLII. And be it further enacted, That the said Commissioners, or any five or more of them, may, and they are hereby impowered, at any Meeting, upon Fourteen Days Notice being given in the Newspaper published in the said Town (or if no Newspaper is published in the said Town, then in some other Newspaper circulated therein) to let or farm the Tolls by this Act granted, or any Part or Parts thereof, to any Person or Persons, at and for the largest yearly Sum they can reasonably get for the same, provided the Leases, Contrad

Tolls may be let to farm.

Agreements of or for the same be in Writing, and signed by the Person or Persons taking or farming such Tolls, and so by the said Commissioners, or any five or more of them; but the same shall not be let for more than Three Years at any one Time; and the Money which shall be agreed to be paid for the said Tolls shall be made payable, and shall be paid, to the Treasurer to the said Commissioners; and that the Person or Persons to whom the same shall be so let, shall always make Payment in Advance. One Quarter's Payment of such Rent in Advance, or, in Default thereof, such Lease, Contract, or Agreement, shall be void.

XLIII. And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any five or more of them, and they are hereby impowered, from Time to Time, when they shall judge necessary for the Purpose of carrying this Act into Execution, to borrow and take up at Interest any Sum or Sums of Money, upon the Credit of the Rates or Assessments, Duty and Tolls, hereinbefore granted, or authorised to be laid, collected or received, or any of them, and by any Writing or Writings under their Hands and Seals, to mortgage, demise, grant, or assign over, the said Rates or Assessments, Duty and Tolls, or any Part or Parts thereof, to the Person or Persons who shall advance and lend such money, or his or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; *videlicet*,

BY virtue of an Act of Parliament, passed in the Twenty-eighth Year of the Reign of his Majesty King George the Third, intituled [*set forth the Title of the Act*], we

of the Commissioners appointed by and in pursuance of the said Act, in consideration of the Sum of £ advanced and lent by *A. B.* upon the Credit, and for the Purposes of the said Act, do grant, bargain, sell, and demise unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments, Duty and Tolls, as by virtue of the said Act, as the said Sum of £ both or shall bear to the whole Sum which may at any Time be borrowed, or become due and owing, or charged upon the Credit of the said Act, to be had and holden from this

Contract Day of in the Year until the said Sum of £ with

with Interest at *per Centen per Annum*
for the same, shall be repaid and satisfied.

No Prefer-
ence in re-
spect of
Priority.

And all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the money thereby secured, shall be, in Proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments, Duties and Tolls, equally one with another, without any Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments.

For bor-
rowing of
Money by
Annuities
on Lives.

XLIV. And whereas many Persons may chuse to advance Money for the Purchase of Annuities, to be secured upon and payable out of the said Rates, Assessments, and Tolls, it is hereby further enacted, That in case the said Commissioners or any five or more of them, shall think it adviseable, or more advantageous, to raise all or any Part of the Money necessary for the Purposes of this Act to be borrowed on the Security of the said Rates and Tolls as herein-after mentioned, by the granting and Annuities for Lives by way of Tontine or otherwise, then from and after the first day of January next ensuing, it shall be lawful for the said Commissioners, or any five or more of them, and they are hereby authorised and empowered, by Writing under their Hands and Seals, to grant Annuities by way of Tontine or otherwise to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities by way of Tontine or otherwise, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor at the Time of the Payment of his or her Contribution or Purchase Money; so as that no such Annuity do exceed the Rate of Ten Pounds for One Hundred Pounds for a Year, and so that the whole Money to be raised upon Mortgage, and the granting of Annuities by way of Tontine or otherwise as aforesaid, do not exceed the Sum of Six Thousand Pounds and the Grant of every such Annuity by way of Tontine or otherwise shall be in the Words or to the Effect following:

The whole
Monies to
be taken
up at In-
terest, and
on Annui-
ties, not
to exceed
6000l.

Form of
the Grant
of Annui-
ties.

WE of the Commissioners appointed by or in pursuance of an Act of Parliament made in the Twenty-eighth Year of the Reign of King George the Third intituled [*set forth the Title of the Act,*] in Consideration of

per Annum Sum of paid by to
 the Treasurer appointed in pursuance of the said Act, do here-
 by grant unto the said Executors, Administra-
 tors, and Assigns, an Annuity or yearly Sum of
 out of the Rates or Assessments, Duty and Tolls, granted or
 respectively arising by virtue of the said Act; which Annuity or yearly Sum
 shall be paid to the said
 Executors, Administrators, and Assigns, at the Guildhall of the
 said Town, upon the in every Year, during
 the natural Life of and the first Payment thereof
 to advance shall be made upon the next ensuing the date of
 ed upon any of these Presents. In Witness whereof we have hereunto set
 Tolls, it our Hands and Seals, the
 Commissioner in the Year of our Lord
 Day of

And every such Grant shall be good, valid, and effectual in the Annuities
 Law; and every Annuity so to be granted as aforesaid shall be not liable
 and is hereby charged upon, and shall be payable and paid (free to Land-
 Tax.
 from any Tax laid upon Land by Authority of Parliament)
 out of the said Rates or Assessments, Duty and Tolls; and the
 Purchaser of every such Annuity, his or her Executors, Admi-
 nistrators, and Assigns, shall have, receive, and be entitled to
 such Annuity out of the said Rates or Assessments, Duty and
 Tolls, during the Term of the natural Life of the Person for
 whose Life such Annuity shall be purchased; and every such Interest
 Annuity, and also the interest arising on every Mortgage or Money
 Assignment to be made by virtue of this Act, shall be payable and An-
 nities to
 be paid
 half-yearly
 at the
 Townhall.
 and paid by the Treasurer to the said Commissioners, at or in
 the Town-hall of the said Town, by equal half-yearly Pay-
 ments, the first Payment thereof respectively to be made at the
 Expiration of Six Calendar Months next after the Date of the
 respective Securities.

XLV. Provided nevertheless, That before any Money shall Fourteen
 be borrowed, or Annuity be granted as aforesaid, Fourteen Days No-
 tice to
 borrow
 Money.
 Days Notice at the least shall be given in the Newspapers pub-
 lished within the said Town (or if no Newspaper is published
 in the said Town, then in some other Newspaper circulated
 therein), signifying the Intention of borrowing such Money,
 or granting such Annuities.

XLVI. And be it further enacted, That it shall be lawful Securities
 for Monies
 lent, and
 Annuities,
 for the Persons entitled to any of the Securities for the Money
 borrowed or raised by Mortgage, and to the Annuities granted
 as

may be
transfer-
red.

as aforesaid, and their respective Executors, Administrators, or Assigns, at any time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; which Transfer may be in the Words or to the Effect following:

Form of
Transfer.

I being entitled to the Sum of
(or an Annuity of)
secured to Executors, Administrators,
and Assigns, by virtue of Mortgage or Assignment (or Grant
of Annuity,) bearing Date the Day of
under the Hands and Seals of
of the Commissioners acting in the Execution of a certain Act
of Parliament, made in the Twenty-eighth Year of the Reign of
his Majesty King *George* the Third, intituled [*set forth the*
Title of the Act], upon the Credit, or arising out of the Rates or
Assessments, Duty and Tolls, granted by the said Act, do hereby
transfer all my Right and Title in and to the same, and all In-
terest, or other Money now due and owing thereon, unto
Executors, Administrators, and Assigns.
Dated the Day of

Transfers
entered,
and Books
examined.

And all Copies of Mortgages or Assignments, and Grants of
Annuities, which shall be made in pursuance of this Act, and
Extracts, or Memorials of all Transfers thereof, shall be en-
tered by the Clerk to the said Commissioners, in a Book to be
kept for that Purpose; which Extracts or Memorials shall spe-
cify and contain the Dates, Names of the Parties, and the Sum
of Money thereby transferred; to which Book any person in-
terested shall at all seasonable Times have Access, and shall
have free Liberty to inspect the same without Fee or Reward
and for the Entry of every such Transfer, the said Clerk shall
be paid, by the Person to whom such Transfer shall be made
the Sum of one Shilling and no more; and after such Entry
made of any such Transfer, every such Transfer so entered shall
entitle the Person to whom the same shall be made, and his
her, or their Representatives, Executors, Administrators, and
Assigns, to the Benefit of the Security thereby transferred.

Monies
raised vest-
ed in Com-
mission-
ers, to be
applied for

XLVII. And be it further enacted, That all Monies raised
or collected by virtue of this Act, as and upon Account of
Credit of the said Rates, shall be, and the same are hereby vest-
ed in the said Commissioners, and the Money to be raised by al-
othe

strators, or
and Seals,
s whomfo-
the Effect

the Sum of

ministrators,
(or Grant
Day of

certain Act
the Reign of
et forth the
the Rates or
t, do hereby
and all In-
reon, unto
nd Assigns.

d Grants of
is Act, and
shall be en-
Book to be
ls shall spe-
d the Sum
r person in-
s, and shall
or Reward
Clerk shall
ll be made
such Entry
ntered shall
de, and his
trators, an
nsferred.
onies raise
Account o
hereby vest
raised by a
othe

other Means under the Authority of this Act, shall be, and the same is hereby vested in the said Commissioners; and out of the first Money arising out of the Rates and Duties which shall be collected by virtue of this Act, or out of the Money which shall be borrowed on the Credit thereof, the said Commissioners, or any five or more of them, shall in the first Place pay and discharge all the Expences and Charges of procuring and passing this Act, and shall apply the Remainder of the Money, so raised, in defraying the necessary Costs, Charges and Expences attending the Execution of the Powers relating thereto, and to such other Purposes as are hereby directed, and to no other Use or Purpose whatsoever.

XLVIII. And be it further enacted, That the said Commissioners, or any five or more of them, shall have full Power and Authority to treat for and purchase any Houses, Shambles, Buildings, Grounds, and Estates, within the said Town, and to make such satisfaction as the Jury may affix as reasonable, for any loss or damage the Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall sustain, by such widening, turning, or altering any of the said Streets, Lanes, and public Passages within the said Town.

XLIX. Provided always, and be it further enacted, That the said Commissioners shall not have Power to purchase any such Houses, Shambles, Buildings, Ground, and Estates, within the said Town, by virtue of this Act, unless Eight Days publick Notice be previously given in the Newspapers published in the said Town (or if no Newspaper is published in the said Town, then in some other Newspaper circulated therein,) of a Meeting to be held for that Purpose; nor shall any Houses, Shambles, or other Buildings, be pulled down, or Grounds or Estates be thrown open, in consequence of any Order for that Purpose, unless Three Months Notice (at the least) shall be given to the Owners and Occupiers of the same respectively, to enable them to provide themselves accordingly.

L. And be it further enacted, That it shall and may be lawful to and for all Persons whatsoever, Bodies Politick, Corporation or Collegiate, Corporations Aggregate or Sole, who are or shall be seized or intitled in their own Right, Trustees, and Feoffees in Trust, Femes Covert, Guardians, and Committees for Lunaticks and Idiots, Executors and Administrators, and Guardians whatsoever, not only in behalf of themselves, their Heirs and Successors, but also for and in behalf of their Cestuique Trusts,

the Pur-
poses of
this Act.

Expences
of the Act
to be paid,
and how
Money to
be applied.

Commis-
sioners em-
powered to
widen the
Streets,
&c.; and
to pur-
chase, or
make Sa-
tisfaction
to the
Parties;
Eight
Days pre-
vious No-
tice being
given of a
Meeting
for that
purpose.

Owners of
Houses,
Shambles,
Stalls, &c.
empower-
ed to sell
the same.

Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Persons whatsoever, who are or shall be seised or possessed of, or interested in any such houses, shambles, buildings, grounds, or estates, to contract for, sell, convey, or surrender to the said Commissioners, or any five or more of them, or to any person or persons they shall appoint in trust for them, all or any such Houses, Shambles, Buildings, Grounds, or Estates, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in Law, to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, claim and demand whatsoever, or their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Persons whatsoever, and all Persons claiming or to claim by, from, or under them; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

Purchase
Monies to
be paid for
Houses
belonging
to Bodies
Politick,
&c. to be
invested in
the Funds
till it can
be laid out
in the Pur-
chase of
other
Lands.

LI. Provided always, That all the Money to be paid for any such Houses, or other Buildings, or Land, which shall be purchased of any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Trustees, Feoffees, Husbands, Guardians, or Committees, shall be lodged in some of the publick Funds, in the Names of such Persons as they shall respectively nominate and appoint; and the Dividends and Interest thereof shall be applied to or for the use of the respective Persons who would, in case such Purchase had not been made, have been entitled to the Rents and Profits of the Houses, Buildings, or Land, so to be purchased as aforesaid, until such Purchase-money can be invested in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon, and subject to the like uses, trusts, and limitations, as the Houses or other Buildings, or Land, to be purchased for the Purposes of this Act, as aforesaid, were respectively settled, limited, or assured.

Proprie-
tors refus-
ing to
treat with
the Com-
missioners,
a Jury

LII. And be it further enacted, That if any such Bodies Politick, Corporate or Collegiate, or other Person or Persons as aforesaid, interested in such Houses, Shambles, Buildings, Grounds, or Estates, upon Notice to them given, or left in Writing at the Dwelling-house or Houses, or Place of Abode

of such Person or Persons, or of the Head Officer or Officers to deter-
 of such Bodies Politick, Corporate or Collegiate, or at the mine Dif-
 House of the Tenant or Tenants in Possession of the Houses, ferences.
 Shambles, Buildings, grounds, or estates, so to be taken in and
 made part of the said streets, lanes, and publick passages, shall,
 by the space of One Calendar Month next after such Notice
 given or left as aforesaid, neglect or refuse to treat, or shall not
 agree in the Premises, or, by reason of Absence, shall be pre-
 vented from treating; then and in every or any such case, the
 said Commissioners, or any five or more of them, shall cause it
 to be enquired into and ascertained by and upon the Oaths of
 a Jury of Twelve indifferent Men of the said Town of *Cam-*
bridge (which oath any Justice of the Peace for the said Town
 of *Cambridge* is hereby impowered to administer), what Re-
 compence and satisfaction shall be made to such owner or
 owners, occupier or occupiers, or proprietors, or other per-
 sons, for or on account of the said houses, shambles, buildings,
 grounds, or estates, taken into, or for the widening the said
 streets, lanes and public passages; and in order thereto, the
 said Commissioners, or any five or more of them, are hereby
 required and impowered, from time to time, as often as
 occasion shall be, to summon and call before the said Jury, and
 examine upon oath, all and every Person or Persons whatso-
 ever, who shall be thought necessary and proper to be examined
 as a Witness or Witnesses, touching or concerning the premi-
 ses (which Oath any Justice of the Peace for the said Town of
Cambridge is hereby required to administer); and they shall
 also order and cause the said Jury to view the said Premises in
 question, if there be occasion; and use all other lawful Ways
 and Means, as well for their own, as for the said Jury's better
 Information in the Premises, as they the said Commissioners,
 or any five or more of them, shall think fit: And after the said
 Jury shall so have enquired of, and ascertained and settled the
 recompence or value, they the said Commissioners, or any five
 or more of them, shall thereupon order, adjudge and determine;
 the Sum or Sums of Money so assessed by the said Jury, to be
 paid to the Owners or Proprietors of, or Persons interested in,
 the said Houses, Shambles, Buildings, Grounds, or Estates, ac-
 cording to the Verdict of the said Jury; which said Verdict,
 Judgement, Order, or Determination, so had and made, shall
 be final and conclusive to all Intents and Purposes, against all
 Parties and Persons whomsoever, claiming in Possession, Re-
 mainder,

mainder, or expectancy, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Idiots, Lunatics, Cestuique Trusts, and persons under any disability whatsoever, Bodies Politick, Corporate or Collegiate, as well as all and every other Person whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person or Persons anyways interested in such Houses, Shambles, Buildings, Grounds, or Estates, shall, upon Payment, or Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby, and from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, or Property of, in, to, or out of the same.

Commissioners
may issue
Warrants
to impanel
a Jury.

LIII. And be it further enacted, That for the summoning and returning such Jury or Juries, the said Commissioners, or any five or more of them, are hereby empowered to issue out their Warrant or Warrants to the Mayor of the said Town of *Cambridge*, thereby requiring him to impanel, summon, and return an indifferent Jury of Forty-eight Persons, (whom in cases where the University is concerned, or any College, or Hall therein, at least One Half of the Pannel shall be Members of the same University, not under the Degree of Bachelors of Arts), to appear before the said Commissioners, or any five or more of them, at such time and place as in such warrant shall be appointed; and the said Mayor, or his Deputy, is hereby required to impanel, summon, and return forty eight such persons as aforesaid; and the names of the forty-eight so returned shall be written upon Pieces of Paper and put into a Box, and the first twelve so drawn of the forty-eight attending, to be Jurymen; and the said Commissioners, or any five or more of them, shall cause them to be sworn before a Justice of the Peace for the Town of *Cambridge* aforesaid; which Twelve shall be the Jury for the Purpose aforesaid; and in default of a sufficient number of Jurymen, the said Mayor, or his Deputy shall return other honest and indifferent men or the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve: Provided nevertheless, that the said Commissioners, or any five or more of them, and also the Parties interested in the Houses, Lands, or Tenements so to be purchased, may have their lawful Challenges against any Six of the said Jurymen when they come to be sworn.

Persons
concerned
may chal-
lenge any
Six of the
Jury.

Commis-
sioners
may fine
the

LIV. Provided always, and be it further enacted, That the said Commissioners, or any five or more of them, acting in the

Premises, shall
sum of Five
Default in the
of the Person
Jury not app
and which O

YOU shall
you will
the Party and
Verdict give a

And the May
impannelling
shall be paid t
paid as herein
who, being re
touching the
give Evidence

any five or m
Fines, Penalty
Pounds, on ea
or more of th
applied in man

LV. And
juries to be fu
his Act, shall
more Monies,
interests, or P
houses, Shamb
shall have been

any five or m
the Jury a
determining th
interest, in any
hearing and de
by the said C
out of the Mo

if any Jury or
said, shall give
more, or for l
Proffered by the

Premises, shall have Power, from time to time, to impose the Mayor or
 sum of Five Pounds on such Mayor or his Deputy, making Jurymen,
 default in the Premises; and the sum of Forty Shillings on any making
 the Persons that shall be summoned and returned on such Default.
 Jury not appearing, or refusing to be sworn on the said Jury;
 and which Oath of a Jurymen shall be as follows:

YOU shall swear that, to the best of your Skill and Judgement,
 you will fix and ascertain the Value of the Premises between
 the Party and Commissioners acting under this Act, and a true
 Verdict give according to the Evidence.

So help you GOD.

And the Mayor shall be allowed the sum of Two Shillings for
 impannelling and returning the said Jury, and each Jurymen
 shall be paid the sum of Sixpence for his Attendance, and be
 paid as herein-after mentioned: And if any Person or Persons
 who, being required to give Evidence before the said Jury
 touching the said Premises, shall refuse to be examined, or to
 give Evidence touching the same, the said Commissioners, or
 any five or more of them, shall and may impose such Fine or
 Penes, Penalty or Penalties, not exceeding the sum of Five
 Pounds, on each Person, as the said Commissioners, or any five
 or more of them, shall think fit, to be levied, recovered, and
 applied in manner herein-after mentioned.

LV. And be it further enacted, That in case any Jury or
 Juries to be summoned and sworn pursuant to the authority of
 this Act, shall give in and deliver a Verdict or Assessment for
 more Monies, as a Recompence or Satisfaction for the Right,
 Interests, or Property of any Person or Persons, in any such
 Houses, Shambles, Buildings, Grounds, or Estates, than what
 shall have been agreed to and offered by the said Commissioners,
 or any five or more of them, before the summoning and return-
 ing the Jury and Witnesses, concerning the ascertaining and
 determining the Value of any such Right, Property, or In-
 terest, in any such Premises, all the Expences attending the
 hearing and determining the same, shall be borne and paid
 by the said Commissioners, or any five or more of them,
 out of the Monies to be collected by virtue of this Act; but
 if any Jury or Juries so to be summoned and sworn as afore-
 said, shall give in and deliver a Verdict or Assessment for no
 more, or for less Monies than shall have been agreed to and
 offered by the said Commissioners, or any five or more of them

Persons
 refusing to
 give Evi-
 dence to
 forfeit 5l.

Expences
 of the Ju-
 ries and
 Witnesses
 how to be
 paid.

E

(before

(before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property in any such Premises, that then the Costs and Expences herein-before mentioned of summoning and returning the said Jury and determining such Difference, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute, to be recovered as herein mentioned.

Upon
Payment
of Pur-
chase mo-
ney, Con-
veyances
to be exe-
cuted.

Where
Title can-
not be
made
good,

the Money
to be paid
into the
Bank of
England.

LVI. And be it further enacted, That upon Payment of such Sum or Sums of Money so to be adjudged for the Purchase of the said Premises, or any Part thereof, the Person or Persons intituled thereto shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law to the said Commissioners or any five or more of them, or to such Person or Persons as the said Commissioners, or any five or more of them shall appoint, of the said Premises, for which such sum or sum of money was or were so awarded, and shall do all Acts, Matters and Things, necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Assignments and Assurances, shall contain such reasonable and usual Covenants as shall in the Behalf of the said Commissioners be required; and in case any person or persons, to whom such money shall be awarded as aforesaid, shall not evince a Title to the said Premises to the said Commissioners, and make or procure to be made, good and legal Conveyances thereof, or shall refuse so to do, being thereunto required, such Sum and Sums of Money so awarded as aforesaid being ready to be paid to him or her, or them, on making such Title, and tendered for that Purpose; or in case any person or persons intituled to the Premises for which such Sums or Sums of Money shall be so awarded as aforesaid, cannot be found in the County of *Cambridge*, or in case that by reason of Disputes depending in any Court of Law or Equity, or for defect of Evidence, it shall not appear to the said Commissioners, or any five or more of them, what Person or Persons is or are intituled to the Premises in question; that then, and in all and every or any such Case or Cases as aforesaid, it shall and may be lawful to and for the said Commissioners, or any five or more of them, to order such Sum or Sums of Money so awarded as aforesaid, as the Value of and Purchase Money for the said Premises, to be paid into the Bank of *England* for the Use of the Parties interested in the said Premises, to be paid to them, and each and every of them, according to their

Juries, interest, and Ex-
 turning the born
 d Com
 to be re
 nent o
 ne Pur
 Perfo
 procur
 yance
 ommit
 or Per
 them
 or sum
 Matters
 ar, an
 ments
 Cove
 requir
 mone
 e to th
 procur
 l refus
 ums o
 to him
 at Pur
 emise
 rded a
 , or i
 of Law
 to th
 Perfor
 ; tha
 s afore
 mmissi
 r Sum
 rchaf
 of Eng
 ifes, to
 o their
 re

respective Estates and Interests in the said Premises, to be paid
 to them at such Times as the said Commissioners, or any five
 or more of them, shall, by Warrant or Warrants under their
 Hands, order and direct; and the Cashier or Cashiers of the
 Bank of *England*, who shall receive such Sum or Sums, is and
 are hereby required to give a Receipt or Receipts for such Sum
 and Sums, mentioning and specifying for what Premises, and
 for whose Uses the same is or are received, to such Person or
 Persons as shall pay such Sum or Sums into the Bank of *Eng-
 land* as aforesaid, which Receipt or Receipts shall be entered on
 Record and registered among the Records of the Quarter Ses-
 sions for the County of *Cambridge*; and immediately on such
 Payment and Registry, all the Estate, Right, Title, Use,
 Trust, Property, Equity of Redemption, Claim and Demand
 in Law and Equity, of all and every Person or Persons for
 whose Use such Money was paid, of, in, to, from, and out of
 the said Premises, or any Part thereof, shall vest in the said
 Commissioners; and they the said Commissioners shall be
 deemed, in Law, to be in the actual Possession thereof, and to
 be seised thereof in Fee Simple, freed and discharged from all
 Claims, Demands, and Equity of Redemption, either in Law
 or in Equity, to all Intents and Purposes, as fully and effectually
 as if all and every Person or Persons having an Estate,
 Right, Title, Trust, Interest, or Equity of Redemption, of, in,
 to, from, or out of the said premises, had actually conveyed the
 same by Lease and Release, Bargain and Sale inrolled, Feoff-
 ment with Livery and Seisin, Fine and Recovery, or any other
 Conveyance whatsoever; and such Payment shall not only bar
 all Right, Title, Interest, Equity of Redemption, Claim and
 Demand of the Person or Persons to whose Use such Payment
 was made, but also shall extend to and be deemed and construed
 to bar the Dower and Dowers of the Wife or Wives of such
 Person or Persons, and all Estates Tail, and Remainders, as
 fully and effectually as a Fine or Recovery would do, or would
 have done, if levied or suffered by proper Parties in due Form
 of Law.

All Right
 and dower
 barred.

LVII. And be it further enacted, That, from and immedi-
 ately after payment made for the Stalls, Shambles, Tenements
 and Hereditaments, so to be purchased as aforesaid, it shall and
 may be lawful for the said Commissioners, or any five or more
 of them, to enter upon the Premises, and every Part thereof,
 and to convert the same to the Purposes of this Act, giving

After Pay-
 ment, Pre-
 mises may
 be entered.

Three Months Notice to the several and respective Owners and Occupiers of the said Premises.

Pavements
Sewers,
and Drains
vested in
Commis-
sioners;

who may
bring
Actions.

Old Mate-
rials to be
sold.

Commis-
sioners
may order
the Streets
to be
paved, and
Sewers and
Drains
made.

LVIII. And be it further enacted, That the Property of the present and future Pavements, Sewers, Drains, or Watercourses in the said Streets, Lanes, and other publick Passages and Places within the said Town, as well in the Footpaths, Carriage Ways, and of all Lamps, Lamp Irons, and Poles which shall be erected or fixed by virtue of this Act, and of all Materials, Implements, and other Things which shall be purchased for the Purposes of this Act, shall belong to, and the same are hereby vested in the said Commissioners; and they, any five or more of them, are hereby authorised and empowered to cause an Action to be brought, or a Bill of Indictment to be preferred (as the Case shall require), against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy any part thereof; and the said Commissioners or any five or more of them, are hereby authorised and empowered to sell and dispose of all or any Part of the old Materials to any Person or Persons who shall be willing to purchase the same.

LIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any five or more of them, from Time to Time, and at all Times when and so often as they shall think proper, to cause, order, and direct all or any of the present or future pavements, in the said streets, lanes, passages and places, as well in those parts used by Carriages as those used by Foot Passengers, to be taken up, and the said Streets, Lanes, Passages, and Places to be paved, relaid, repaired, raised, lowered, or altered: and also the present Sewers, Cesspools, Drains, or Watercourses, to be altered in such manner as they shall think proper; and to make proper Sewers, Cesspools, Drains, or Watercourses for the Conveyance of the Water from the Surface of the Carriage Ways or Highway and all such Footpaths, where practicable, to be paved with Flag Stones, or smooth Pavement; and all the Horse Ways and Carriage Ways with good Rag Stones, Pebbles, or such other Materials as the said Commissioners, or any five or more of them, shall think proper; and also to cause, order, and direct the said several Streets, Lanes, Passages, and Places to be cleansed and lighted, and all Annoyances, Obstructions, Nuisances, and Incroachments to be removed, and proper Sewers, Drains, Cesspools, Sinks, Gutters, or Watercourses

to be
several
Houses
manner
shall t
for the
and Au

LX.
tained
any Co
said To

LXI
ers, or

power
as occa
sons fo
repairin
lick P
within
specify

for the
shall b
Nonpe
mission

Person
the ma
be give
no Ne
other
of such
take t
offered
time a

LX.
lawful
of ther
the W
their S
sons a
same
the tr
shall r

to be made for conveying the Water off and from the said several Streets, Lanes, Passages, and Places, and the several Houses and other Buildings within the said Town, in such manner as the said Commissioners, or any five or more of them, shall think proper; and the Persons to be appointed by them for the Purposes aforesaid shall and hereby have full Power and Authority to do the same.

LX. And be it further enacted, That nothing herein contained shall extend, or be construed to extend, to the Inside of any Court or other Place within any College or Hall in the said Town of *Cambridge*, or within the Scite or Walls thereof.

Nothing
in this Act
to extend
to any
College
Courts.

LXI. And be it further enacted, That the said Commissioners, or any five or more of them, may, and they are hereby empowered, from Time to Time, at any of their said Meetings, as occasion shall require, to contract with any person or persons for the paving, relaying, raising, lowering, amending, repairing, cleansing, and lighting the said Streets, Lanes, publick Passages and Places, or any Part or Parts thereof within the said Town, which Contract and Contracts shall specify the several Works to be done, and the prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by the said Commissioners, or any five or more of them, and by the Person or Persons contracting to perform such Works; but, previous to the making of any such Contract, Fourteen Days Notice shall be given in the Newspapers published in the said Town (or if no Newspaper is published in the said Town, then in some other Newspaper circulated therein), expressing the Intention of such Contract, in order that any Person willing to undertake the same may make Proposals for that purpose, to be offered and presented to the said Commissioners, at a certain time and place in each Notice to be mentioned.

Commis-
sioners
may make
Contracts.

LXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, and they are hereby directed, to cause all and every the Works done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other person or persons as they shall from time to time appoint; and in case the same shall not be well and sufficiently performed according to the true intent and meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times

Surveyors
to inspect
the works.

Times that the same are agreed to be completed by the said Contract or Contracts, the said Commissioners shall and may, in their own Names, or in the Names of any two of them, bring an Action, in any of his Majesty's Courts of Law at *Westminster*, against any person or persons so contracting and neglecting to perform such Contract or Contracts, and for any Penalty or Penalties, Damage or Damages, which shall be contained in such Contract or Contracts; and upon proving the signing of the said Contract or Contracts, and nonperformance thereof, at the Time or Times for the Purposes therein mentioned, the said Commissioners shall be intitled to and shall recover such Penalty or Penalties, Damage or Damages, with Costs of Suit, which, when recovered, shall be applied for the Purposes of this Act.

Power to
dig Gravel
and get
Materials;

filling up
the Pits,
&c.

and paying
for the
same,

LXIII. And be it further enacted, That the said Commissioners, or their Surveyor, or such other Person or Persons as they or he shall employ and appoint, having an Order in Writing under the Hands of the said Commissioners, or any five or more of them, for that Purpose, may, and is and are hereby impowered to cut, dig, gather, take, and carry away, any Stones, Gravel, Sand, or other Materials proper for the raising and repairing the said Streets, Lanes, Ways, and publick Passages, out of and from any Waste Ground or Common, River or Brook, in any Parish, Town, or Place, in or within Three Miles of which any Part of the said Town doth lie, without paying any thing for the same, such Surveyor or other Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to passengers or cattle; and also the said Surveyor, or other Persons as aforesaid, may, by order of the said Commissioners, or any five or more of them, search for, dig, gather, take, and carry away, any such materials as aforesaid, in, upon, or out of, from and over the Lands of any person or persons (not being a Yard, Garden, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees), paying or rendering to the Owners and Occupiers of such Lands for the same, and for the Damage done to such private Lands over which any Materials gotten in any waste Ground, Common, River or Brook, or private Ground, shall be conveyed, such Equivalent in Money as the said Commissioners, or any

five

Five or more or them, shall adjudge reasonable: and that the said Commissioners, or any five or more of them, have hereby full Power and Authority to cause to be dug, carted, and carried out of, or brought into, the said Streets, Lanes, Passages, and Places, or any of them, such Stone, Gravel, and other materials, and to employ such Artificers, Workmen, Labourers, Carters, and others, and to do all and every such Acts and Things as they shall judge necessary or conducive to the accomplishing of the Ends and Designs of this Act.

LXIV. And be it further enacted, That if any Person or Persons shall at any time or times obstruct, hinder or molest, any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons whatever, who is or shall be employed by virtue of this Act (in the performance or execution of their Duty), every such Person so offending shall, for the First Offence, forfeit the Sum of Twenty Shillings; for the Second Offence, the Sum of Thirty Shillings; and for every other Offence, the Sum of Three Pounds.

LXV. And be it further enacted, That no Person shall, at any Time, make, or cause to be made, any Alteration in the form of the Pavement of any Street, Lane, or publick Passage or Place within the said Town, without the consent and approbation of the said Commissioners, or any five or more of them, assembled at some of their Meetings, first had and obtained, upon pain of forfeiting, for every such Offence, the Sum of Ten Pounds.

LXVI. And be it further enacted, That no Person or Persons shall, without the leave and licence of the said Commissioners, make or branch any Drain or Drains, into any of the said publick Sewers, Drains or Vaults, made or to be made by virtue of this Act, upon Pain that every Person so offending shall, for every such Offence, forfeit and pay the Sum of Twenty Pounds, to be recovered in a summary Way before Two Justices of the Peace.

LXVII. And be it further enacted, That all private Drains which now are, or, by permission of the said Commissioners, shall hereafter be made within any of the publick Streets or Passages within the said Town, and which do or shall issue into any of the publick Sewers, Drains, or Vaults, shall be repaired and cleansed under the inspection and direction of the Surveyor, or other proper Officer of the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers,

Occupiers, of the Lands or Tenements to which the said private Drains do or shall respectively belong.

Footpaths
swept
every Day
except
Sundays.

Penalty.

Streets to
be swept
Twice a
Week.

No Person
to carry
away Soil,
except
Contractor

Penalty.

Persons at
liberty to
keep or
dispose of
Dung
made or
kept with-
in their

LXVIII. And be it further enacted, That all and every person or persons inhabiting within the said Town, shall, as soon as the Foot Pavement in front of, or adjoining to, such Houses and other Tenements respectively, is, by virtue of this Act, made and completed, sweep and cleanse, or cause to be swept and cleansed, the Footpaths or Pavement extending at least four feet before their respective Houses, Buildings, and Walls, between the hours of Six and Ten in the Forenoon (Sundays excepted), upon Pain of forfeiting Five Shillings for every Neglect therein: provided always, That the Paths or Foot Pavements adjoining or belonging to any public Building belonging to the said University, or any College or Hall within the same, shall be swept and cleansed by the said University, or by such College or Hall respectively, in like manner, and under the like Penalties, as the Inhabitants of the Town are compelled to sweep before their Doors.

LXIX. And be it further enacted, That the Person or Persons contracted with for cleansing the said Streets, Lanes, Ways, and publick Passages, and all other public Places, shall sweep, clean, and carry away, or cause to be swept, cleansed, and carried away, the dirt and soil in and out of all the Streets, Lanes, Ways, and publick Passages within the said Town, Twice in every Week, on such Days as shall be appointed by the Commissioners, or any five or more of them, upon Pain of forfeiting Ten Shillings for every Neglect therein.

LXX. And be it further enacted, That no person or persons shall take or carry away, or cause to be taken or carried away, any ashes, dust, dirt, muck, dung, or manure, which shall be made in any or either of the said Streets, Lanes, Ways, or other publick Passages in the said Town, out of the same, besides the Persons so to be contracted with, or appointed as aforesaid, for such Purpose by the said Commissioners, upon Pain of forfeiting and paying the Sum of Twenty Shillings for every such Offence.

LXXI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to any Ashes, Dust, Dirt, Filth, Dung, or Rubbish which any of the Inhabitants of the said University and Town shall occasion, and think fit to preserve and keep within their own respective Houses, Yards, or Gardens, but the same shall

respec
same,
bish,
streets
town,
ing an
Neigh
case su
filth, s
Neigh
serve t
writing
said Co
person'
persons
or ever
next af
LXX
to the la
or dirt i
any of
casioned
ing, or
conveni
Place w
pass and
sengers,
bish to
in any o
room be
Lime be
the same
House o
ie, shall
Lane, P
Charges
given to
House w
ing, to
more of
the said
Owners

respectively belong to the Person or Persons so reserving the same, so as such ashes, dust, dirt, filth, soil, dung, or rubbish, be not laid down or placed in any or either of the said streets, lanes, ways, and publick passages and places in the said town, for any longer time than shall be necessary for the loading and carrying away the same, nor suffered to annoy the Neighbour or Neighbours of such Person or Persons; but in case such person or persons so reserving such ashes, dust, dirt, filth, soil, dung, or rubbish, shall thereby annoy his or their Neighbour or Neighbours, and shall continue to keep and pre-serve the same for the space of Three Days after Notice in every writing given to him, her, or them, under the hands of the said Commissioners, or any five or more of them, or left at such person's Dwelling-house, to remove the same, such person or persons shall forfeit and pay the sum of Ten Shillings a Day for every Day such Annoyances shall be permitted to remain and next after such Notice given as aforesaid.

LXXII. Provided always, That no person shall be subject to the last mentioned penalty of Ten Shillings for any rubbish or dirt in the said Streets, Lanes, Passages, or public Places, or any of them, before the house or tenement of such person, occasioned by the building, pulling down and building, rebuilding, or repairing, any such house or tenement; so as there be convenient Room left in the said Street, Lane, Passage, or Place where such Rubbish or Dirt shall lie, for Carriages to pass and repass, and a sufficient way kept clean for Foot Passengers, by the person laying or occasioning such Dirt or Rubbish to be laid; nor for the making up any Lime into Mortar in any of the said Streets, Lanes, Passages or Places, so as such room be left for Foot Passengers and Carriages, and so as such Lime be inclosed before such House or Building about which the same is to be used, and so as the Owner or Owners of such House or Tenement, before which such Rubbish or Lime shall lie, shall cause the same to be removed out of the said Street, Lane, Passage, or Place, at his, her, or their own Costs and Charges, within a reasonable Time, or upon Notice to be given to him, her, or them, or left at his, her, or their said House where such Rubbish shall lie, for that purpose, in writing, to be signed by the said Commissioners, or any five or more of them; and so as that, whilst the same shall be lying in the said Street, Lane, Passage, or Place, such Owner or Owners shall set up a Rail or other Fence, and maintain a sufficient

in their
Houses or
Yards.

Penalty
not to ex-
tend to
Rubbish
occasioned
by build-
ing.

ficient Light upon or against the same every Night during the whole Night from the Time it becomes dark, to prevent any Mischief happening to Passengers, which might otherwise be occasioned thereby.

Scavengers
may lodge
Dirt in the
Streets,
&c. by
Consent of
Commis-
sioners.

LXXIII. Provided always, and be it further enacted, That the Person or Persons contracted with for cleansing the said Streets, Lanes, public passages and places, or any part or parts thereof, shall have liberty, by the Approbation and Order of five or more of the Commissioners, to lodge their Dirt, Dust, Ashes, or other Filth, in such vacant and publick Places in or near the said Streets, Lanes, Passages, and other places, as shall not appear to be intended to be built upon, and as shall be thought convenient by the said Commissioners; they the said persons so contracted with giving such satisfaction to the owners and occupiers of such vacant places, as the said Commissioners, or any five or more of them, shall direct.

Penalty on
breaking
or damag-
ing
Lamps,
by matri-
culated or
other Per-
sons.

LXXIV. And be it further enacted by the authority aforesaid, That if any matriculated person or persons, or Members or Members of any College or Hall in the said University, shall wilfully break, throw down, or otherwise damage any of the Lamps which shall be erected by virtue of the Act, or any of the Posts, Irons, or other furniture thereof, and Complaint shall be made by the Commissioners appointed by this act, or their Surveyor, to the Vice-Chancellor, or his Deputy, against such person or persons, the said Vice Chancellor or his Deputy, shall, and he is hereby required to summon the party or parties so complained of, to appear before him, and shall proceed to examine upon oath any Witness or Witnesses who shall appear, or be produced, to give information touching such offence (which said Oath the said Vice Chancellor or his Deputy, is hereby empowered to administer): And if the Party or Parties so complained of shall be convicted of such offence, either by his or their own confession, or upon such information as aforesaid, he or they shall be sentenced, over and above any academical Punishment, to pay to the Commissioners, or their Surveyor, the full amount of the Damages by him or them done as aforesaid: And in case such offender or offenders shall refuse to pay the Amount of such Damages to the Tutor of the College of which the Offender shall be a Member, shall be answerable for the same. And in case any Person not being matriculated, or a Member of any College or Hall in the said University, shall be guilty of any of the said

Offence

Offences, it shall be lawful for any Justice or Justices of the Peace, acting for the said town, and he or they are hereby required, on oath made of the Commission of any such offence, which oath the said Justice or Justices, is and are hereby required and impowered to administer, to issue a Warrant or Warrants for apprehending the party or parties accused; or it shall be lawful for any person or persons whatsoever, who shall see such offence committed, to apprehend, as also for any other person or persons to assist in apprehending, the offender or offenders, and, by authority of this Act, to convey him or them before the said Justice or Justices, to be dealt with as hereinafter is directed: And the Party or Parties so accused being brought before the said Justice or Justices, or oath being made before such Justice or Justices, that such offender or offenders cannot be found and apprehended (which oath the said Justice or Justices is and are hereby required and impowered to administer), the said Justice or Justices shall proceed to examine, upon oath, any Witness or Witnesses who shall appear, or be produced, to give information touching such offence; and if the party or parties accused shall be convicted of such offence, either by his or their own confession, or upon such information as aforesaid, he or they so convicted shall, for the First Offence, respectively forfeit and pay (to be applied to the purposes of this Act) a sum not exceeding Twenty Shillings, nor under Ten Shillings, for each Lamp so broken or thrown down or damaged, as aforesaid, over and above the damage done; for the Second Offence, the Sum of Thirty Shillings; and for the Third, and every other subsequent Offence, the Sum of Forty Shillings: And full satisfaction shall also be made to the said Commissioners or their Surveyor, by such offender or offenders, for the damage so by him or them done as aforesaid.

LXXV. And be it further enacted, That if any person or persons shall kill, slaughter, singe, scald, dress, or cut up, any Beast or Swine, Calf, Sheep, Lamb, or other Cattle, in any of the said Streets, Lanes, Passages, or Places; or shall hoop, cleanse, wash, or scald, any cask; or hew or saw, or cause to be hewed or sawed, any Stone, Wood, or Timber; or bind, make, or repair any Wheel; or shoe, bleed, farrier, cleanse, or dress, or turn or drive loose, any Horse; or wet, slack, or mix any Lime; or wet, mix, or make any Mortar (except as hereinbefore mentioned); or bait, or cause to be baited, any Bull; or throw at any Cock or Fowl, in the Manner called *Cock-throwing*,

To prevent certain Nuisances in the Streets.

throwing, or set up any Cock or Fowl to be thrown at in such Manner; or shall make or assist in the making, any Fire or Fires, commonly called *Bonfires*; or shall set fire to, or let off or throw any squib, serpent, rocket, or fireworks whatsoever in any of the Streets, Lanes, or public Passages within the said town; or shall set, place, or expose to sale, or cause, permit or suffer to be set, placed, or exposed to sale, any Goods, Chattels, Wares, or Merchandizes whatsoever, on the foot or carriage way of any Street, Lane, or public Passage, in the said town, except the selling of Butter, Fowls, Cheese, Eggs, Corn, and other customary articles and things, as heretofore usual on Market Days; or hang up or expose any Goods, Wares, or Merchandizes, or any other matter or thing, upon any flap-window, or otherwise, so as to obstruct or incommode the passage of the foot or carriage way of any Street, Lane, or public Way in the said Town; every person so offending in either of the said cases, shall, for every such offence, forfeit and pay the sum of ten shillings over and above such penalties as are inflicted on any or either of the said offences, by any Law or Statute now in being.

Commis-
sioners may
take down
Rails, &c.

LXXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, at any time after the said twentieth day of *May*, to take down, remove, alter, and regulate, in such manner as they shall think proper, all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any person or persons, sign posts, sign irons, penthouses, shewboards, spouts, gutters, stalls, bulks or bow windows, window shutters, porches, sheds, butchers gallows, pumps, blocks or pipes of timber, chopping blocks, cellar windows, dwarf walls, post rails, pales, palisadoes and frames of wood, iron, brick, stone, or other materials, kirbs and flaps to areas, steps, and all other Encroachments, Nuisances, and Annoyances whatsoever, in the said town, as they the said Commissioners, or any five or more of them, shall adjudge to obstruct or incommode the Foot-way, or Carriage-way, of all or any of the said Streets, Lanes, Passages, and Places in the said town, or the free passage of them, any or either of them, and let down the materials thereof, or the residue of such materials, in order of regulating the same only, on the spot, or so near as conveniently may be, for the use of the person or persons who may be intitled to the same; and the expences attending the taking down

down, removing, altering, or regulating the same, shall be borne and defrayed out of the monies to be raised by virtue of this Act.

LXXVII. And be it further enacted, That if any person or persons shall, at any time or times thereafter, convey Water from the Houses in any other manner, to the Channels of the Carriage-ways, than by small Drains under the Foot-ways, hang, place, erect, build, or make any Sign, Sign Post, or other Post, Sign Iron, Penthouse, Shewboard, Spout, Gutter, Stall, Bulk, Bulk or Bow Window, Window Shutter, Porch, Shed, Butchers Gallows, Pound for Cattle, Pump, Cellar Window, or Dwarf Wall, Shamble, Block or Piece of Timber, Chopping Block, Pit, Saw-pit, Post, or other Encroachment, Nuisance, or Annoyance whatever, or cause the same to be done, contrary to the Directions aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, and the further Sum of Ten Shillings for every Day such Offence shall continue; and the Master Workmen employed to erect, build, do, or perform the same shall forfeit and pay the sum of Forty Shillings; and it shall and may be lawful to and for the said Commissioners, or any five or more of them, to order the same to be taken down, removed, carried away, altered, or regulated, in such manner as they, or any five or more of them, shall think proper; and the person or persons so ordered shall and may take down, remove, carry away, alter, or regulate the same accordingly, without any Notice or Warning to be given to the Owner or Owners, Tenant or Occupiers, to take down, remove, carry away, alter, or regulate the same; and the Expence thereof to be borne by the Occupier.

LXXVIII. Provided always, That the Expences and Charges attending the taking down, removing, altering, or regulating the said Bow Windows, Projections or other Incroachments, which shall have been erected or built within the Space of Seven Years before the said Twentieth Day of *May*, shall be borne and paid by the respective Owners or Occupiers of the Houses in which such Bow Windows and Incroachments shall and may have been made; and in case of Nonpayment thereof, the same to be recovered of the Owners or Occupiers thereof respectively, in the same manner as the charges and expences of paving, cleansing, and lighting the said Streets, are directed to be recovered under this Act.

LXXIX. And

No In-
croach-
ment to be
made by
Builders,
&c.

LXXIX. And be it further enacted, That no Head Builder, Master Carpenter, Mason, or Workman shall, in rebuilding or new fronting any old Building, situate in or near any Street, Lane, or any publick Way, bring the Foundation thereof forward beyond the old Foundations, or the ancient Story Posts supporting the Fronts thereof, so as to obstruct or narrow the Passage through the same; nor shall erect any Balcony, or other Projection upwards, to extend beyond the line of the Street upon Pain of forfeiting, for every such Offence, the Sum of Ten Pounds; and the Owner of such Building shall forfeit and pay the Sum of Forty Shillings for every month such Obstruction or Incroachment shall remain, by the Foundation of such Building being brought forward, or Balcony or other Projection upwards, as aforesaid; and it shall and may be lawful to and for the said Commissioners, or any five or more of them, to order the same to be taken down, altered, or regulated, in such Manner as they, or any five or more of them, shall think proper.

No Carts,
&c. to be
left in any
Streets,
&c.

LXXX. And be it further enacted, That if after the said Twentieth day of *May*, any Cart, Waggon, Dray, Hand Cart, or other Carriage, shall be left to stand or continue in any Street, Lane, or publick Way in the said Town, or in any Part or Parts thereof, with or without Horses or other Cattle, or if any Stage Coach, Diligence, Post Chaise, or other Carriage let to hire, shall be left to stand or remain in any of the Streets, Markets, Lanes, Passages, or Places aforesaid without Horses, for any longer Time than shall be necessary for the taking up or setting down the Passengers, and for loading or unloading their Baggage; and so that the same shall not exceed the Space of One Hour at any One Time; or if any Swine, or other Beast or Cattle, shall be permitted to wander, or be in, or about any of the said Streets, Lanes, Passages, or Places; or if any Timber, Bricks, Lime, Mortar, Sand, Stones, Slates, Hay, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubes, Goods, Wares, Merchandizes, or other Materials or Things whatsoever, shall be laid or placed, and left to remain in any of the Streets, Lanes, Passages, or Places, for any longer Time than shall be necessary for moving and housing the same, not exceeding One Hour; or if any Coals, Coal Ashes, Wood Ashes, Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance whatsoever, shall be thrown, cast, or laid in any of the said Streets, Lanes, Passages, or Places, then, and

Swine, or
other Cat-
tle, wan-
dering the
Streets.

in ever-
son, C
rage,
Cattle.
Materi
in any
Person
be thro
Rubbish
soever,
the sum
of reco
sances.
LXX
Person
Town
of Elev
the Mo
in any
wilfull
any of
Person
such O
LXX
Persons
May, r
on any
Wheels
shall ro
be rode
the said
cessity,
Offence
the sum
Offence
son or
Cask or
rolled t
LXX
shall, at
any Car
Convey

in every such Case, the Owner or Driver of every such Waggon, Cart, Dray, Coach, Diligence, Post Chaise, or other Carriage, and the Owner of any such Swine, or other Beasts or Cattle, and of any such Bricks, Goods, Wares, Merchandizes, Materials, or Things, which shall be left, or suffered to remain in any of the said Streets, Lanes, Passages, or Places, and the Person or Persons who shall so throw, cast, or lay, or cause to be thrown, cast, or laid, any Coals, Coal Ashes, Wood Ashes, Rubbish, Dust, Dirt, Dung, Filth, or other Annoyance whatsoever, as aforesaid, shall for every such Offence forfeit and pay the sum of Twenty Shillings over and above the Expences of recovering the same; and the same shall be deemed Nuisances.

LXXXI. And be it further enacted, That if any Person or Persons shall cause any Privy or Necessary-house within the said Town to be emptied at any Time, except between the Hours of Eleven of the Clock in the Night and Four of the Clock in the Morning, or shall lay, or cause to be laid, the soil thereof, in any of the said Streets, Lanes, Passages, or Places, or shall wilfully or negligently spill or throw down any such soil in any of the said Streets, Lanes, Passages, or Places, every Person offending in any of the Cases aforesaid shall, for every such Offence, forfeit and pay the sum of Ten Shillings.

LXXXII. And be it further enacted, That if any Person or No Persons shall, at any Time after the said Twentieth Day of May, run, drive, or draw, or cause to be run, driven, or drawn, on any Foot Pavement within the said Town, any Wheel or Wheels, Sledge, Wheelbarrow, or Carriage whatsoever, or shall roll any Cask, or wilfully ride, drive, or lead, or cause to be rode, driven, or led, any Horse or other Cattle, on any of the said Foot Pavements, other than in Cases of absolute Necessity, such Person or Persons shall forfeit and pay for the First Offence the sum of Five Shillings; for the Second Offence the sum of Ten Shillings; and for the Third, and every other Offence, the sum of Twenty Shillings: Provided that no Person or Persons shall be liable to such Penalties for rolling any Cask on the Foot Pavement, unless the same shall have been rolled thereon for the space of Twenty Yards.

LXXXIII. And be it further enacted, That if any Person shall, at any Time after the said Twentieth Day of May, drive any Cart, Dray, Waggon, Truck, or other Carriage for the Conveyance of Goods in or through any of the Streets, Lanes, and

Timber,
Bricks,
Stones,
Hay,
Straw, &c.
being left
in the
Streets.

Regulati-
ons for
emptying
Necessary-
houses.

Wheel-
barrow,
&c. to be
driven on
Foot-Pave-
ments.

Proviso.

No Cart,
&c. to be
drove fast-
er than a
Foot Pace,

and

nor with-
out some
Person
leading
the Horfe.

and Passages in the said Town, faster than a Foot Pace, or without some Person on Foot leading the Shaft or Thill Horfe by a Halter or Rein affixed to the Head of such Horfe, every such Person shall, for every such Offence, forfeit and pay the sum of Five Shillings.

Cellar
Windows,
at Night,
to be suf-
ficiently
lighted.

LXXXIV. And be it further enacted, That if any Cellar Window or Windows shall be left open in the Evening or in the Night, without the same being sufficiently lighted to prevent Accidents happening therefrom, the Occupier or Occupiers of such House or Cellar shall, for every such Offence, forfeit and pay the sum of Ten Shillings.

Commis-
sioners
may com-
pound for
Penalties.

LXXXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, from Time to Time, to compound and agree with any Person or Persons against whom any Action or Actions, Suit or Suits, shall be brought or prosecuted, for any Penalty or Penalties in any Contract or Contracts hereafter to be entered into, on account of any Breach or Nonperformance of any such Contract or Contracts, for such sum or sums of Money as they, or any five or more of them, shall think proper; and also mitigate and compound, or lessen, any other the Forfeiture incurred under this Act.

LXXXVI. And be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn in the following Form, or to the like Effect; that is to say,

Form of
Convic-
tion.

Town of
Cambridge,
in the County
of Cambridge,
or elsewhere
(as the Case
may be.)

BE it remembered, That on the
Day of _____ in the
Year of the Reign of his Majesty
A. B. is Convicted before
One of his Majesty's Justices of the Peace
the said Town, (County or Place,) by virtue
of an Act of Parliament, made in the Twent-
eighth Year of the Reign of his Majesty King
George the Third, intituled, [Set forth the Title
of the Act, and specify the Offence, and the Time
and Place where the same was committed, as the
Case shall be.] Given under our Hands and
Seals (or my Hand and Seal), the Day and Year
aforesaid.

LXXXVII. And

LXXXVII. And whereas many Houses, Edifices, Shops, Colleges and Warehouses within the said University and Town belong and Corporations to Bodies Corporate, and are irregularly built, and by reason of impower- their contingent Tenure are frequently suffered to fall into a ed to sell ruinous State, be it therefore enacted, That it shall and may be Houses, lawful for any Body Corporate or Collegiate, Aggregate or &c. Sole, to alienate and sell for ever any Tenements or Hereditaments, and the Scite thereof, with their Appurtenances, standing or being within the University and Town of *Cambridge*: Provided, That all and every Sum and Sums of Money, to be paid to any Body Corporate or Collegiate, Aggregate or Sole (except the Corporation of the Town of *Cambridge*,) for the Purchase of such Houses, Tenements, or Hereditaments, be lodged in any of the Public Funds, in the Names of the Three Royal Professors of Divinity, Law, and Physick, for the Time being within the said University, in Trust, for the Use of the said Body Corporate or Collegiate, Aggregate or Sole, for Houses belonging to such Body Corporate or Collegiate, as aforesaid; and for Houses, Tenements, and Hereditaments belonging to the Corporation, in the Name of the Mayor, Bailiffs, and Burgeffes, to be by them laid out in the Purchase of Lands and Hereditaments without the University and Town of *Cambridge*, or otherwise settled and appropriated for such Uses and Trusts as the Houses, Tenements, or Hereditaments so sold by such Corporation, College, or Body Corporate, were settled and limited at the Time of such Sale so made.

LXXXVIII. And be it further enacted, That all and every Sum and Sums of Money to be paid by any Person, Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Tail, Guardian, Committee, or other Trustee or Trustees, in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to, upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies as the said Lands and Premises, so to be purchased by the said Commissioners as aforesaid, were settled, limited, and assured, at the Time of such Sale so made, respectively, or as near as the same can be settled, limited, and assured, and shall and may be held and enjoyed accordingly.

LXXXIX. And it is hereby further enacted and declared, That all and every Sum and Sums of Money to be paid to any Body Politick, Corporate or Collegiate, Corporation Aggregate

G

or

Colleges
and Cor-
porations
impower-
ed to sell
Houses,
&c.

Money to
be laid out.

Purchase-
Money of
Trust

Estates to
be laid
out again.

or Sole, Feoffee or Feoffees in Trust, Guardian, Committee, or other Trustee or Trustees in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies as the said Lands and Premises so to be purchased by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Burgeses, or other Body Corporate as aforesaid, were settled, limited, and assured at the Time of such Sale so made, respectively, and shall and may be held and enjoyed accordingly.

Method of
recover-
ing the
penalties
imposed
by this
Act, where
no Method
before
pointed
out.

XC. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any One Justice of the Peace for the said Town of Cambridge, which Warrant such Justice is hereby empowered to grant, upon the Confession of the Party or Parties, or upon the Information of any One or more credible Witness or Witnesses upon Oath, which Oath such Justice is hereby empowered to administer; and the Penalties and Forfeitures, when recovered, shall be paid to the Treasurer, or such other Person as the said Commissioners at any Meeting shall appoint for that Purpose, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorised and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Rent for
Encroach-
ments, &c.
how to be
paid.

XCI. Provided always, and be it further enacted, That any Rent or Acknowledgement shall be now paid to the Mayor, Bailiffs, and Burgeses of the said Town, by any Person or Persons, for any Buildings, Lands, or Tenements, which shall be taken down, removed, or otherwise disposed of, by virtue of and for the Purposes of this Act, the Rent or Acknowledgement for the same shall, from the taking down, removing, or disposing

ing the
Part of
shall be
of such
the Re
thereof
Amount
like Ca

XCI
aforesai
the Co
or Age
the Pur
nor sha
and Bu
their O
riage, l
of this
trary no

XCI
Person
the Pen
any Off
shall be
for Mon
the Pen
the Rate

XCI
ed by on
in any
by them
against
under th
Perform

Employ
or Order
of them,
Money
millioner
any such
be borne
ue of t
sing

ing thereof, wholly cease and be no longer payable; and if any Part or Parts only of such Buildings, Lands, or Tenements, shall be taken down, removed, or disposed of, a due Proportion of such Rent or Acknowledgement shall be payable and paid for the Remainder thereof, and for such taking away, the Value thereof to be affixed as herein-before mentioned, and the Amount paid to the Mayor, Bailiffs, and Burgeſſes, as in the like Caſe to Individuals.

XCII. Provided always, and be it enacted by the Authority aforeſaid, That no Toll or Fee ſhall be demanded or taken by the Conſervators of the River *Cam*, or by any of their Officers or Agents, for the Paſſage of Materials to be made uſe of for the Purpoſes of this Act only, in or upon the ſaid River *Cam*; nor ſhall any Toll be demanded or taken by the Mayor, Bailiffs, and Burgeſſes, of the ſaid Borough of *Cambridge*, or by any of their Officers or Agents, for any Cart, Waggon, or other Carriage, laden with Materials to be made uſe of for the Purpoſes of this Act only; any Law, Uſage, or Cuſtom, to the contrary notwithstanding.

XCIII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences againſt this Act, unleſs Information ſhall be given of ſuch Offence or Offences within One Calendar Month next after the Offence committed, ſave and except the Penalties in and by this Act inflicted for Nonpayment of the Rates or Aſſeſſments in and by this Act directed to be made.

XCIV. And be it further enacted, That all Money expended by or recovered againſt any Commiſſioner or Commiſſioners, in any Action or Proſecution hereby directed to be brought by them, or in defending any Action or Proſecution brought againſt them, or any other Perſon or Perſons employed by or under them, for any Matter or Thing done in the Execution or Performance of his or their Office or Offices, Employment or Employments, under this Act, and in purſuance of any Order or Orders made by the ſaid Commiſſioners, or any five or more of them, in the Manner herein-before directed (and which Money ſhall not be recovered or received again by ſuch Commiſſioner or Commiſſioners, or other Perſon or Perſons, from any ſuch Defendant or Defendants, Plaintiff or Plaintiffs,) ſhall be borne and defrayed out of the Monies to be raiſed by virtue of this Act.

Corpora-
tion may
hereafter
alter the
Market
Place.

XCV. And be it further enacted, That if, at any Time hereafter, the said Mayor, Bailiffs, and Burgeſſes of the ſaid Town of *Cambridge*, ſhall, for the Accommodation of the Inhabitants of the ſaid Town, make and erect, or cauſe to be made and erected, a public Market, with Shambles or other Conveniencies for the Sale of Goods and Victuals in any other Place or Places within the ſaid Town than where the Markets are now uſually kept or held, then and in ſuch Caſe it ſhall not be lawful for any Perſon or Perſons whomſoever to expoſe to ſale any Goods, Victuals, or other Commodities whatſoever, in any other Part or Parts of the Town or Place than ſhall be ſo made, erected, or ſet out as and for a Market-place, other than in their own Shops, Houſes, Warehouſes and Yards within the ſaid Town, under the Forfeiture of paying, for every Offence, the Sum of Forty Shillings; to be recovered in like Manner as the Penalties are herein-after directed to be recovered.

Reſerva-
tion of the
Right of
the Uni-
verſity to
ſuperin-
tend and
regulate
the Mar-
kets.

XCVI. Provided, That nothing herein contained ſhall extend, or be conſtrued to extend, to take away the Right of the ſaid Chancellor, Maſters, and Scholars, to govern, regulate, and ſuperintend the ſame, as heretofore accuſtomed, with reſpect to the ancient Market-place or Places, or to take away the Right of the ſaid Mayor, Bailiffs, and Burgeſſes of the Town as have been heretofore paid to them or their Toll-gatherers, but the ſame reſpectively ſhall remain and belong to the ſaid Chancellor, Maſters, and Scholars, and the ſaid Mayor, Bailiffs, and Burgeſſes ſeverally, as before the paſſing of this Act; and the ſaid Chancellor, Maſters, and Scholars, and Mayor, Bailiffs, and Burgeſſes reſpectively, ſhall and may preſcribe and have ſuch Remedies for the ſame, in ſuch New Market, as they could have and were intitled to in the Places where the ancient Markets were uſually or commonly held.

Proviſo for
holding
Fair and
Market.

XCVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be deemed, conſtrued, adjudged, or taken to extend, to prevent the holding of Fairs in or near the ſaid Town, in ſuch and the ſame Places and in the ſame Manner, as the ſaid Fairs by Law are now intitled to be held; nor to charge any Perſon or Perſons with any Penalty or Penalties in this Act contained for ſetting up any Stalls, or for ſelling, placing, or expoſing to ſale, any Goods, Wares, or Merchandizes, in ſuch Fairs, or the Place or Places appointed for the holding of the ſame, during the Time the ſaid Fair

Fairs
contain
XC
Stone
other
tants a
Be it th
any tin
ſhewn,
other p
or road
Horſe
forfeit
XCI
ſioners,
Houſes
any of
on the
as the f
think p
painted
Houſe o
ſuch St
ſuch re
are uſua
ſhall wi
Figure,
procure
for eve
Shilling
C. P
the new
Paſſages
Pipes, t
damage
ſtance o
the Perſ
jury; an
mand, t
Manner
Act, can
mage or
Fair

Fairs are or shall be appointed to be held; any Thing herein contained to the contrary notwithstanding.

XCVIII. And whereas the practice of shewing Stallions, or Stone Horses, in the Streets of the said Town, on Market and other Days, has been found very inconvenient to the Inhabitants and other Persons transacting business in the said Town: Be it therefore enacted, That if any Person whomsoever shall at any time hereafter bring and shew, or cause to be brought and shewn, any Stallion or Stone Horse in any of the Streets or other publick Places within the said Town, except on his way or road to and from the Place where such Stallion or Stone Horse shall be kept, such Person shall, for every such offence, forfeit and pay the Sum of Five Shillings.

Stallions
not to be
shewn
within the
Town.

XCIX. And be it further enacted, That the said Commissioners, or any five or more of them, may order and direct the Houses within the said Streets, Lanes, Passages, and Places, or any of them, to be numbered with Figures placed or painted on the Door of every such House, or on such other part thereof as the said Commissioners, or any five or more of them, shall think proper; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous part of some House or other Building, at or near the End or Corner of every such Street, Lane, Passage, and Place, the Names by which such respective Streets, Lanes, Passages, and Places aforesaid, are usually or properly called or known; and if any Person shall wilfully destroy, obliterate, or deface, any such Number, Figure, Name, or Description, or any part thereof, or cause or procure the same to be done, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

Houses
may be
numbered;

and Names
of Streets
put up.

C. Provided always, and be it further enacted, That if by the new paving or repairing any of the said Streets, Lanes, Passages, or Places, any damage or injury shall be done to any Pipes, the property of the Feoffees of *Hobson's Charity*, such damage or injury shall be made good as soon as the circumstance of the case will admit, and the expence thereof paid by the Person or Persons who shall occasion such damage or injury; and in case of Neglect to pay such Expence upon Demand, the same shall and may be levied and recovered in like Manner as the Rates or Assessments to be laid by virtue of this Act, can or may be levied and recovered; and in case any damage or injury shall happen to the Pavement in any of the said Streets,

Recom-
pence to be
made for
Damage
done to or
by Water-
pipes.

Streets, Lanes, Passages, or Places, by the failure of repairing, or for the purpose of repairing, any of the said Water pipes, such Injury shall be made good as soon as the circumstances of the Case will admit; and such Repairs shall be done and performed by such Person or Persons as shall be appointed by the said Commissioners, or any five or more of them, and the expence thereof paid by the said Feoffees or other Owners thereof; and in Default of such Payment upon Demand, such expence shall be recovered from such Feoffees in like manner as the said Rates or Assessments can or may be recovered.

Water
flowing
from Hob-
son's Con-
duit to be
regulated.

CI. And in order to enable the said Commissioners to prevent any injury to the Pavement of the said Streets, Lanes, and other public Passages of the said Town, by the overflowing of the Water from *Hobson's Conduit*, be it further enacted by the authority aforesaid, That the said Commissioners, or any five or more of them, shall, and they are hereby authorised and empowered to order and direct Pipes, Cocks, and Stop Cocks, of such Bore as to the said Commissioners, or any five or more of them, shall seem proper and necessary, to be affixed to the said Conduit called *Hobson's Conduit*, for the Purposes of the Act aforesaid; and also from Time to Time to order and direct the Watercourse which supplies the said Conduit with Water (the Pipes from the Conduit Head to *Hobson's Conduit* alone excepted), to be repaired, amended, and improved; and if at any Time it shall appear to the said Commissioners, or any five or more of them, that the Fund appropriated to the Support and Maintenance of the said Conduit is insufficient to defray the Expence of fixing such Pipes, Cocks, and Stop Cocks as aforesaid, or if it shall appear to the said Commissioners, that there is no Fund appropriated for the Support and Maintenance of the said Watercourse, or any Branch thereof; or that such Fund is insufficient for the purposes of repairing, amending, or improving, the said Watercourse, or any Branch thereof; it shall and may be lawful for the said Commissioners, or any five or more of them, to direct that such Deficiency shall be paid and defrayed by and out of the monies arisen, or to arise, by the Rates, Assessments, Tolls, and Duties, rated, assessed, and made payable by this Act; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Inhabit-
ants may
be Wit-
nesses.

CII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act, any Inhabitant

tant w
to give
with an
by virtu
CIII.
any per
aggrieved
imposed
may ap
of the l
the Mar
One Ca
shall ha
given T
tion to l
Treasur
ces, in su
and dete
and to n
proper;
conclusi
whatsoev
CIV.
shall be r
this Act,
the Party
or Tresp
the Sum
ceedings
aining
ount of
Party or
aggrieved
action fo
CV. I
recover i
trespass,
Writing f
shall be c
Attorney
sch Act
sch Act

tant within the Town aforesaid shall be admitted and allowed to give evidence, notwithstanding his or her being charged with and liable to pay any Rate or Assessment, Duty or Toll, by virtue of this Act.

CIII. Provided always, and be it further enacted, That if any person or persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment to be made, or Penalty imposed, by or in pursuance of this Act, such person or persons may appeal to the Justices at the first General Quarter Session of the Peace, to be holden for the said Town (within which the Matter of Appeal shall arise) next after the Expiration of One Calendar Month from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days Notice at the least of his, her, or their intention to bring such Appeal, and of the Matter thereof, to the Treasurer or Clerk to the said Commissioners; and the Justices, in such Session, are hereby authorised and required to hear and determine the Matter of such Appeal in a summary way, and to make such Determination therein as they shall judge proper; and such Determination shall be final, binding, and conclusive to all Parties, and to all Intents and Purposes whatsoever.

Persons
aggrieved
may appeal
to the
General or
Quarter
Sessions.

CIV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons so aggrieved by such Irregularity shall and may recover full satisfaction for the special Damage in an Action upon the Case.

Distress
not unlaw-
ful for
want of
Form.

CV. Provided always, That no Plaintiff or Plaintiffs shall recover in any such Action for such Irregularity, or for any Trespass, or other wrongful Proceedings, unless Notice in Writing shall be given, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends hath been made to him,

Plaintiff
not to re-
cover after
Tender of
Amends.

him, her, or them, or his, her, or their Attorney, by or on the behalf of the Defendant or Defendants in any such Action, by leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit; whereupon such Proceedings, Order, and Judgement, shall be made and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceed-
ings not to
be quashed
for Want of
Form, nor
remove-
able by
Certiorari.

CVI. And be it further enacted, That no Order, Verdict, Assessment, Judgement, or other Proceeding made, touching or concerning any of the matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary hereof in any wise notwithstanding.

Limitation
of Actions.

CVII. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, until Twenty-one Days Notice be thereof given to the Treasurer or Clerk to the said Commissioners, or after sufficient satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the said Town, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his or their Election, plead specially, or the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-one Days Notice shall be given as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other town than as aforesaid, then the Jury shall find for the Defendant or Defendants, and upon such Notice, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs; then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any

Treble
Costs.

General
Issue.

Defen
Law.

CV
clared
constr
Year
cleanfi

Claufe
is here

CIX
nothin
extend

Privile
ration,

of the
belongi

poratio

CX.
in this

to take
Bailiffs

of the C
ing and

legally
Carts, S

through
Part the

CXI.
ing the

her car

That th

Meeting

authoris

udge ne

may be

assing t

and fixir

publick l

doing all

and with

pon, gi

De-vice Ch

Defendant or Defendants hath or have in other Cases by Law.

CVIII. Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to revive an Act made in the thirty-fifth Year of the Reign of King *Henry* the Eighth, for paving and cleansing the said Streets, or any of the Powers, Provisions, Clauses, and Matters therein contained, but the same shall and is hereby declared to be repealed and made void.

CIX. Provided also, and it is hereby further enacted, That nothing in this Act shall extend, or be deemed or construed to extend, to take away, diminish, or impede the exercise of any Privilege or Right whatsoever of the said University or Corporation, or of any persons being Members of the same, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of the Mayor, Bailiffs, and Burgeses of the Corporation of *Cambridge*.

CX. And be it further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to take away, lessen, or diminish, the Right of the said Mayor, Bailiffs, and Burgeses of the said Town of *Cambridge*, or any of the Officers or Servants thereunto belonging, to the collecting and receiving such Tolls as they have heretofore been legally entitled to, and accustomed to receive, for all Waggon, Carts, Stock, Goods, and Merchandize, coming into, passing through, or going out of the said Town of *Cambridge*, or any Part thereof, or the Liberties of the said Town.

CXI. And for raising Money towards answering and defraying the Charges and Expences of passing this Act, and for further carrying the same into Execution, be it further enacted, That the said Commissioners, or any five or more of them, at a Meeting to be held for that purpose, shall, and they are hereby authorized and required, annually, or as often as they shall judge necessary, to ascertain the Sum or Sums of Money which may be wanted, for the purposes of defraying the Expences of passing this Act, and for widening, improving, new paving, and fixing Lamps in the several Streets, Lanes, and Alleys, publick Passages and Ways of the Town of *Cambridge*, and for doing all other Works necessary to the Execution of this Act; and within Two Days after such sum shall have been so agreed upon, give Notice thereof, specifying the Sum or Sums, to the Vice Chancellor of the University, and to the Mayor of the said

H

Town,

35 Hen.
VIII, cap.
15, repeal-
ed.

Saving
Clause for
the Rights
of the Uni-
versity.

Saving
Clause for
the Rights
of the Cor-
poration.

Proportion of the
Monies to
be raised
by the Uni-
versity and
Town for
the first
Pavements,
&c. to be
settled.

Town, in Writing under the Hands of five or more of them, to be delivered to the Vice Chancellor and Mayor, or left at their respective Places of Abode; Two Fifths of which respective Sum (such Sum being into five parts equally divided) shall be paid by or on Account of the said University, in Manner herein-after directed; and one Twelfth of the remaining Three Fifth Parts shall be paid by or on Account of the Corporation of the said Town, in the manner herein-after directed; and the remaining part of the sum so ascertained, the said Commissioners are hereby authoris'd and impow'ed to borrow, on the Security of the Tolls herein granted, and on the Rates and Assessments to be levied on the several Tenants or Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said Town, as herein mentioned.

University
may bor-
row Mo-
ney.

CXII. And be it further enacted, That the said Chancellor, Vice Chancellor, Masters or Heads of the several Colleges or Halls within the said University, shall and are hereby authoris'd and impow'ed to borrow any Sum or Sums of Money not exceeding in the Whole the Sum of Four Thousand Pounds, on their Part or Quota of the Rates and Assessments for defraying the Expences of carrying this Act into Execution; and such Security shall be signed by the Vice Chancellor for the Time being, and Five at the least of the other Masters or Heads of the Colleges or Halls in the said University.

Annual.

Proportion of annual Sums for Paving, &c. to be raised by the University and Town, to be settled.

CXIII. And for raising Money towards answering and defraying the annual Charges and Expences of repairing, cleaning, and lighting the several Streets within the said Town, be it further enacted, That the said Commissioners, or any five or more of them, at a Meeting to be held for that purpose, shall and are hereby authoris'd and required, annually, or as often as they shall judge necessary, to ascertain the Sum or Sums wanted for the purposes aforesaid; and within two days after such Sum shall have been agreed upon, give Notice thereof specifying the Sum or Sums, to the Vice Chancellor of the University, and to the Mayor of the said Town, in Writing under the Hands of any five or more of them; Two Fifths of which Sum (such Sum being in Five equal Parts divided) shall be paid by or on account of the said University, in Manner herein mentioned; and Ten Pounds of such annual Sum to be paid by or on account of the said Corporation, and the remaining part of such annual Sum to be paid by and out of the money to be raised by Tolls herein granted, and Rates and Assessments

here

herei
piers
ditam
CX
said,
Head
sity,
shall,
the V
(whic
to issu
Sum o
portio
the Pa
longin
the dis
so asse
case th
or Hal
puties
make o
or Pro
Share o
aforefa
to the V
said Vi
out suc
a Copy
by virt
carryin
Vice C
the said
the said
ral Col
thereof,
Bursars
after De
respecti
is hereb
such Ne
his Ha
Chattel

herein directed to be levied on the several Tenants or Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments, within the said Town.

CXIV. And be it further enacted by the Authority aforesaid, That the Chancellor or Vice-Chancellor, and Masters or Heads of the several Colleges and Halls within the said University, or, in their Absence, their Deputies or *Locum Tenentes*, shall, and they are hereby required to meet upon Summons of the Vice-Chancellor, within Seven Days after Notice aforesaid (which Summons the said Vice-Chancellor is hereby required to issue), and make, or cause to be made, an Account of such Sum or Sums of Money, as they shall deem the Quota or Proportion of the Sum to be paid out of the University Chest, for the Pavement and other Works to be done, under this Act, belonging to the University, and of the Quotas or Proportions of the different Colleges and Halls; which said respective Sums so assessed, shall amount to Two Fifths as aforesaid: And in case the Chancellor, Vice-Chancellor, and Heads of Colleges or Halls in the said University, or, in their Absence, their Deputies or *Locum Tenentes*, shall neglect or refuse to meet, and make or cause to be made an Assessment of the different Quotas or Proportions of the said Two Fifth Parts, to be paid as the Share of the said University and several Colleges and Halls as aforesaid, for the Space of Fourteen Days after Notice delivered to the Vice-Chancellor as aforesaid, then, and in such Case, the said Vice-Chancellor is hereby authorised and required to make out such Assessment himself, and deliver or cause to be delivered a Copy thereof to the Collector who shall or may be appointed, by virtue of this Act, to collect and receive the Monies for the carrying the same into Execution, and shall demand of the Vice Chancellor, and of the Burfar of each College or Hall in the said University, Payment of the Sum or Sums so assessed by the said Vice-Chancellor upon the said University, and the several Colleges and Halls aforesaid; and upon Non-payment thereof, or in case the said Vice-Chancellor, or any of the said Bursars, shall neglect or refuse, for the Space of Fourteen Days after Demand thereof made, to pay the said Sum or Sums so respectively assessed as aforesaid, then the said Vice-Chancellor is hereby required, upon Complaint made by the Collector of such Neglect or Refusal, to issue a Warrant of Distress under his Hand and Seal, to seize and take any of the Goods and Chattels of the said University, or the several Colleges or Halls

How the
Sums to be
raised by
the Uni-
versity are
to be re-
covered.

aforesaid, and if the Sum so assessed is not paid within Three Days, to cause the same to be sold, and after Payment of the Demand or Assessment, together with all Charges attending the seizing, detaining, and selling the same, to return the Overplus to the said Vice-Chancellor or Bursar, in whose College such Distress was made as aforesaid: And in case the said Vice-Chancellor shall neglect or refuse to proceed in the Manner herein-before directed, for the Space of Seven Days after the Expiration of the respective Times aforesaid, then it shall and may be lawful for the said Commissioners, or any five or more of them, to proceed in like Manner as the said Vice-Chancellor is hereby authorised and required to do, and levy the Amount on the Goods and Chattels of the said University, or College, or Hall, as herein-before mentioned.

Remain-
ing Pro-
portion to
be raised
by the
Town.

CXV. And it is hereby also enacted, That One Twelfth Part of the remaining Three Fifth Parts of the Sum or Sums of Money ascertained for the First Expence of paving the said Town, shall be paid and defrayed by the Mayor, Bailiffs, and Burgeses of the said Town, to be applied to the Purposes of this Act; and in case of Refusal to pay the same within Seven Days after the next Common Day after the same shall be demanded, it shall be lawful for the said Commissioners to cause the same to be levied by Distress and Sale of the Goods and Chattels of the said Mayor, Bailiffs, and Burgeses, rendering the Overplus (if any be,) after deducting the Costs and Charges of making such Distress and selling the same; and the said Mayor, Bailiffs, and Burgeses shall yearly and every Year, for ever afterwards, pay to the said Commissioners, for the Purposes of this Act, the Sum of Ten Pounds, to be recovered and levied in Manner aforesaid; and such Payments so to be made by the said Mayor, Bailiffs, and Burgeses, shall be deemed and taken to be a full Equivalent and Satisfaction for the paving, repairing, cleansing, and lighting such Part of the Streets, Lanes, and Ways belonging to the said Mayor, Bailiffs, and Burgeses, who are and shall be exonerated and discharged from such paving, repairing, cleansing, and lighting for the future.

Publick
Act.

CXVI. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

AN

To A
the
Ma
" C
" f
" A
" a

W
better
bridge,
noyanc
Passag
And
the sai
author
been ex
by the
remain
And
Comple
main u
mentio
Parlian
And
are wa
useful

AN

A C T

To Amend and Enlarge the Powers of an Act, passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled " An Act for the better Paving, Cleansing, and Lighting the Town of *Cambridge*, " for removing and preventing Obstructions and " Annoyances, and for widening the Streets, Lanes, " and other Passages, within the said Town."

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His present Majesty, for the better paving, cleansing, and lighting the Town of *Cambridge*, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages, within the said Town: Preamble.

And whereas great Progress hath been made in executing the said Act; in the doing of which the whole of the Money authorized by the said Act to be raised and borrowed hath been expended, and a considerable Debt hath been contracted by the Commissioners for executing the same, which now remains due:

And whereas divers Works necessary to be done for the Completion of the Improvements in the said Town still remain unfinished, and cannot be executed, nor can the above-mentioned Debt be discharged, without the further Aid of Parliament:

And whereas several Amendments and further Regulations are wanting to the said Act, to render it more extensively useful:

May

Commis-
sioners im-
powered to
raise a fur-
ther Sum of
Money.

May it therefore please Your MAJESTY,
That it may be enacted; And be it enacted by the KING's
Most Excellent Majesty, by and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and Commons, in
this present Parliament assembled, and by the Authority of
the same, That it shall be lawful for the Commissioners for
executing this Act, and they are hereby authorized and im-
powered to raise (over and above the Monies allowed to be
raised by the said former Act) any Sum or Sums of Money
not exceeding Five Thousand Pounds, the same to be raised
and paid in the following Proportions; (that is to say) Two
Fifth Parts of such Sum or Sums, so to be raised in pursuance
of this Act, shall be paid by and on account of the University
of *Cambridge*, One Twelfth Part of the remaining Three
Fifths shall be paid by or on Account of the Corporation of
the said Town, and the remaining Part of such Sum or Sums
the said Commissioners are hereby authorized and empowered
to borrow on the Security of the Rates and Assessments, Du-
ties and Tolls made and levied, or to be made and levied by
virtue of this and the said former Act; such Sum and Sums
so to be borrowed on Security, to be raised and borrowed by
any or either of the Ways and Means of borrowing Money
mentioned in the said former Act; and the Proportion of the
said Sum and Sums of Money, payable as above mentioned
by the said University, and Corporation, shall be enforced in
like Manner as is provided and directed with respect to the
Payment of the Sums of Money payable by the said Univer-
sity, and Corporation, by virtue of the said former Act; and
the said Sum and Sums of Money, when paid and raised, shall
be applied by the said Commissioners, in the First Place, in
the paying and discharging the Costs and Expences of ap-
plying for and passing this Act, and then in discharging all
Debts contracted by the said Commissioners in the Execution
of the said recited Act, and now due and owing, and the re-
sidue shall be applied by the said Commissioners in finishing,
completing, and making the several Improvements in the said
Town yet remaining unfinished, in Manner, and under the
Rules, Orders, and Regulations herein and in the said for-
mer Act specified and provided.

The Uni-
versity
enabled to
borrow
Money.

II. And be it further enacted, That it shall be lawful for
the Chancellor, Vice Chancellor, Masters or Heads of the
several Colleges or Halls within the said University, and they
are

are hereby
Sums of
of the said
mentione
or Sums
to be bor

III. A
former A
sioners fo
the same
passing of
for the T
the Colle
Steward,
or his De
or in their
tes, and t
Two Pe
John's C
Colleges
Masters
also the
tion of C
his Depu
or his De
ther with
Francis
Henry P
muel Kni
ton, Nat
Pemberto
Clerk, A
shall be
ting this

IV. A
lawful t
Hall wit
Trinity
of super
within s
of, to m
College

are hereby authorized and impowered to borrow any Sum or Sums of Money, not exceeding in the Whole their Quota of the said Money so to be raised and borrowed as above-mentioned, in such Manner as is directed touching the Sum or Sums of Money authorized in and by the said former Act to be borrowed by the said University.

III. And be it further enacted, That the Clauses in the said former Act relating to the original Appointment of Commissioners for carrying the same into Execution, shall be, and the same are hereby repealed; and that from and after the passing of this Act, the following Magistrates and Officers for the Time being of the University of *Cambridge*, and of the Colleges and Halls therein, (to wit) the Chancellor, High Steward, Representatives in Parliament, the Vice Chancellor or his Deputy, all the Heads or Masters of Colleges or Halls or in their Absence their respective Deputies or *Locum Tenentes*, and the Commissary, or in his Absence his Deputy, also Two Persons for *Trinity College*, Two Persons for *Saint John's College*, and One Person for each of the remaining Colleges and Halls in the said University, being Fellows or Masters of Arts, or of the Degree hereinafter mentioned, and also the following Magistrates and Persons of the Corporation of *Cambridge*, (to wit) the High Steward, Recorder, or his Deputy, Representatives in Parliament, and the Mayor, or his Deputy, and the Aldermen for the Time being, together with Sir *John Hynde Cotton*, Baronet, *Charles Cotton*, *Francis Dickins*, *William Vachell*, *Richard Greaves Townley*, *Henry Pointer Standly*, *Benjamin Keene*, *Hale Wortham*, *Samuel Knight*, *Ebenezer Hollick*, *William Hollick*, *Richard Eaton*, *Nathaniel Wedd*, *Joseph Beldam*, *Busick Harwood*, *Jeremy Pemberton*, Clerk, *Stephen Lushington*, Clerk, *Edmund Fisher*, Clerk, *Henry Allen Lagden*, Clerk, and *Henry Turner*, Clerk, shall be and they are hereby appointed Commissioners for putting this and the said former Act into Execution.

IV. And be it further enacted, That it shall and may be lawful to and for the Head or Master of each College and Hall within the said University, except the said Colleges of *Trinity* and *Saint John*, and the Masters of Arts and Persons of superior Academical Degree resident for the Time being within such College and Hall, and on the Foundation thereof, to meet together in the usual Place for transacting the College Business in the respective Colleges and Halls, between

For appointing Commissioners, and repealing Provision in former Act relating thereto.

Commissioners to be elected from each respective College or Hall, and Commissioners of former Act to act in

the Execu-
tion of pre-
sent Act.

tween the Hours of Nine and Twelve in the Forenoon of the Second Monday after the passing of this Act, or as soon after as conveniently may be, and the major Part of such Persons then resident and there assembled shall and may proceed to elect one of the Fellows or Masters of Arts, or Persons of superior Degree on the Foundation of such their respective College or Hall, to be a Commissioner for such respective College or Hall; and the Head or Master, Masters of Arts, and Persons of superior Academical Degree, resident for the Time being within the said Colleges of *Trinity* and *Saint John*, and on the Foundation thereof, are hereby impowered to proceed in the same Manner to the Election of Two Persons of the like Degree as above mentioned, to be Commissioners for each of their respective Colleges; and in case of an Equality of Votes in the Election of a Commissioner or Commissioners for any such College or Hall respectively, the Head or Master, or in his Absence his Deputy, or in their Absence the Senior Fellow present of such College or Hall, shall have the casting Voice, and such Person or Persons so elected shall and may continue to act and be a Commissioner or Commissioners for putting into Execution the Powers in this or the said former Act contained, during the Time he or they shall actually remain a Fellow or Fellows of such College or Hall, or on the Foundation thereof; provided, that when and as often as any of the said Commissioners, to be chosen by their respective Colleges or Halls as aforesaid, shall happen to die, resign, or refuse to act, or his Fellowship or other Place on the Foundation shall become vacant, it shall and may be lawful, within One Month after such Disqualification, Death, Resignation, Refusal, or Vacancy, for the several Voters in the College or Hall of which such Commissioner was a Member, to proceed to elect another Commissioner, in Manner above mentioned, and so *toties quoties*, as Occasion shall be or require.

Commis-
sioners ap-
pointed by
any Col-
lege or
Hall, and
all Mem-
bers of the
University
appointed

V. Provided always and be it further enacted, That all Persons who have been or shall be named or appointed by any College or Hall, and all Members of the said University appointed Commissioners in or by virtue of the said former Act, or to be hereafter appointed as above mentioned, shall be, to all Intents and Purposes, Commissioners for putting the said former Act and this Act in Execution, in all Respects, without proving any other Qualification, or taking any Oath in respect thereto,

thereto,
any other
withstan

VI. And ever
Right to
meet tog
of the sa
and Two
passing o
and the
sembled,
sons to b
and the
in case o
missioner
wardens
sent, or
then pre
the said
of such
Parish sh
that pur
or some
and such
sioners f
after the
annually
which T
the said
nually p
aforeaid
missioner
acting a
their act
Cambrid
missioner
ner as is

VII. And
the said
of the sa
or any

thereto, any Thing in the said former Act or this Act, or in any other Law or Statute to the contrary in anywise notwithstanding.

VI. And be it further enacted, That the Parishioners in each and every of the Parishes within the said Town, having a Right to vote in the Election of Churchwardens, shall and may meet together in the Church or Vestry Room belonging to each of the said Parishes respectively, between the Hours of Ten and Twelve in the Forenoon, on the second *Monday* after the passing of this Act, or as soon after as conveniently may be, and the major part of such Parishioners then and there assembled, shall and may proceed to the Election of Two Persons to be Commissioners for the Purposes mentioned in this and the said former Act, for such respective Parish, and that in case of an Equality of Votes in the Election of such Commissioners or Commissioner for any such Parish, the Churchwardens standing first upon the list of Parish Officers then present, or in case no Churchwarden shall be present, the Person then present who shall stand highest rated to the Poor Rate in the said Parish, shall have the casting Voice; and the Names of such Persons so elected Commissioners for each respective Parish shall be entered in a Book to be provided and kept for that purpose by each respective Parish, in their public Chest, or some other Place of Security, in their respective Churches; and such Persons to be so elected shall continue Commissioners for the respective Parishes until the *Easter Monday* next after their Election, or the Day on which Churchwardens are annually elected in such respective Parishes, and no longer, at which Time or Times, or within Fourteen Days afterwards, the said Parishioners in such respective Parishes, shall annually proceed to a new Election of Commissioners, in manner aforesaid; and no Person or Persons to be so elected a Commissioner or Commissioners as aforesaid, shall be capable of acting as such, unless he or they shall, at the Time of his or their acting, be a resident Inhabitant of the said Town of *Cambridge*; and when any Vacancy shall happen in such Commissioners, such Vacancy shall be filled up in the same Manner as is directed by the said former Act.

VII. And be it further enacted, That for the better enabling the said Commissioners to carry on the requisite Improvements of the said Town, it shall be lawful for the said Commissioners, or any five or more of them, to make an additional Assess-

University
Commis-
sioners,
may act
without
proving
any other
Qualifica-
tion, or
taking any
Oath.

For Pa-
rishioners
of each
Parish,
having a
Vote for
Church-
warden, to
elect Two
Comis-
sioners.

Further
Assessment
on the
Town.

ment

ment or Assessments, Rate or Rates, upon the several Tenants or Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments within the said Town (except as herein-after mentioned) in any Sum of Money not exceeding Three Pence in the Pound, in any One Year (in Addition to the Rate of One Shilling in the Pound mentioned in the said former Act;) and which additional Rates or Assessments shall be made and levied, and shall be sued for, collected, and recovered, in such Manner and Form as in the said former Act is directed concerning the said Rate or Assessment therein mentioned, and shall be appealed against in such Manner and Form as is herein-after directed.

Imposing
an addi-
tional Toll
upon pub-
lic Car-
riages.

VIII. And, for the further enabling the said Commissioners to carry on the said Improvements, be it further enacted, That in Addition to the Tolls granted and made payable by the said former Act, there shall be paid to the Receiver or Receivers, Collector or Collectors, appointed by the said Commissioners, once in every Day, for every Stage Coach, Diligence, or other such public Carriage, coming to or going out of the Town of *Cambridge*, and Precincts thereof, carrying Passengers or Parcels for Hire, the further sum of Sixpence, and the same shall be demanded and taken for and in the Name of a Paving Toll, together with the sum of One Shilling imposed upon the said Stage Coaches, Diligences, or other public Carriages by the said former Act, and shall, in case of Non-payment, be demanded, levied, and distrained for, in such and the like manner as is directed in and by the said former Act, touching the Tolls thereby made payable.

How
Houses un-
der the
Value of
5l. a Year
shall be
rated.

IX. Provided always, and be it further enacted, That the Tenants or Occupiers of all Dwelling Houses within the said Town, the Rent of which does not or shall not exceed Five Pounds a Year, shall, from and after the passing of this Act, be exempt from the Payment of any Rate or Assessment whatsoever levied or to be levied by virtue of this Act: Provided also, That nothing in this Act shall extend to exempt the Occupiers of Shops and Stalls used for exposing Meat for Sale in the said Town, or Persons occupying more than Five Pounds a Year, from the Payment of the said Rates or Assessments, any thing herein-before contained to the contrary notwithstanding.

Qualifica-
tion of
Commis-
sioners.

X. And be it further enacted, That no Person shall be eligible to be elected a Commissioner for any Parish within the

said Town
count to
at the T
Annual
Election
former A

XI. A
shall, w
this Act
surer of
Five Pou
tion to t
said Cor
the said C
and ligh
Charges
several S
pay the f
the Time
cause the
and Chat
shall and
to the sa
very ther
minster, w
or Remo

XII. A
sioners, b
Time lev
former A
discharge
Shambles
them pur
enlarging
Land Ta
Amount
charged a
and Build
respective
down; an
shall refu
after Den

faid Town, who is not rated or assessed on his or her own account towards the Purposes of this and the said former Act, at the Time of such Election, nor shall any Person vote in the Annual Election of Commissioners, who at the time of such Election is not so rated or assessed; any Thing herein or in the former Act to the contrary notwithstanding.

XI. And be it further enacted, That the said Corporation shall, within One Calendar Month next after the passing of this Act, well and truly pay or cause to be paid unto the Treasurer of the said Commissioners the sum of Four hundred and Five Pounds, now due and in Arrear from the said Corporation to the said Commissioners, for Part of the Share of the said Corporation remaining unpaid of the Money expended by the said Commissioners in widening, improving, new paving, and lighting the said Town, and in defraying the Annual Charges and Expences of repairing, cleansing, and lighting the several Streets therein; and in case of Neglect or Refusal to pay the said Sum of Four hundred and Five Pounds within the Time aforesaid, the said Commissioners shall and may cause the same to be levied by Distress and Sale of the Goods and Chattels of the said Mayor, Bailiffs, and Burgeses, or shall and may commence an Action, in the Name of the Clerk to the said Commissioners for the Time being, for the Recovery thereof, in any of His Majesty's Courts of Law at *Westminster*, which Action shall not abate by Reason of the Death or Removal of such Clerk to the said Commissioners.

XII. And be it further enacted, That the said Commissioners, by and out of the Rates and Tolls to be from Time to Time levied and raised under and by virtue of this and the said former Act, shall from time to time and at all times pay and discharge the Land Tax and Poor Rates of and for all Houses, Shambles, and Buildings which shall or may hereafter be by them purchased and taken down for the Purposes of widening, enlarging, and improving the Streets of the said Town, such Land Tax and Poor Rates so to be paid not exceeding the Amount of the Land Tax and Poor Rates payable for, or charged and assessed upon each of the said Houses, Shambles, and Buildings, or the Owners, Tenants, or Occupiers thereof respectively, at the time or times the same shall be so taken down; and in case the said Commissioners for the Time being shall refuse or neglect, by the space of One Calendar Month after Demand made, to pay such Land Tax or Poor Rates as

To enforce
the pay-
ment of
Corpora-
tion Debt
of 405l.

For the
Commis-
sioners,
out of the
Rates and
Tolls, to
pay the
Land-Tax
and Poors
Rates for
the Houses
and Build-
ings to be
pulled
down.

the same shall become due, then and so often it shall be lawful for the Collector or Collectors of the Land Tax, and the Churchwardens and Overseers of the Poor of the respective Parishes in which such Houses, Shambles, or Buildings, so to be taken down, were situate respectively, and they are hereby required, forthwith to bring an Action or Actions at Law against the Treasurer or Receiver for the time being of the Tolls and Rates imposed by this and the said former Act, and in case a Verdict or Verdicts shall be given for the Plaintiff or Plaintiffs in such Action or Actions, or the said Treasurer or Receiver shall suffer Judgment to go by Default, the Party or Parties recovering such Verdict or Verdicts, and entering up Judgment thereon, or obtaining Judgment as aforesaid, shall have full Costs as between Attorney and Client, to be settled by the proper Officer of the Court in which such Action or Actions shall be brought, and shall and may sue out Execution upon or against all and every the Effects by this and the said former Act vested in the said Commissioners, or on the monies collected and received by them, or on their Account, in respect of such Tolls and Rates, in full discharge of such Judgments and costs, together with the costs of suing out execution thereon.

Commis-
sioners
taking
Contracts
or Office
of Profit,
to become
incapable
of acting,
and others
to be
chosen in
their stead.

XIII. And be it further enacted, That whenever any Commissioner of this and the said former Act, shall, by the Acceptance of any Contract or of any Office of Profit made in pursuance thereof, become incapable of acting or voting as a Commissioner according to the directions of the said former Act, then the Office of such Person shall immediately, upon his Acceptance of such Contract or Office of Profit, become vacant, and such Person shall be disqualified from attending the Meetings of the said Commissioners as a Commissioner, and if such Person shall be a Parish Commissioner, the Parish he represents, and for which he was chosen a Commissioner, shall and may elect some other Person as a Commissioner, in the Room of the Commissioner becoming disqualified as aforesaid; and every Person so elected in the Place of such disqualified Commissioner, shall have the same Powers and Authorities for putting this and the said former Act into Execution, as the Person was vested with, in whose stead he shall be so elected.

That No-
tices of
Meetings
where Or-
ders are

XIV. And whereas it is by the said former Act enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked, unless by a greater Number

of

of Com-
which
every
pose of
the Or-
of the
cation
Notice

XV.
said for
Highw-
and ev-
pealed.

XVI.
sioners
One Sh-
Houses
within
same;
that no
to rate
prieate,
ment in
or Ara-
of the
the val-
and Ou-
in the
arisen
Clause
same is

XV.
nothing
or be c-
sons fo-
Modus
Farm,
by any
and ex-
House,
ings re-
in the

of Commissioners at some Meeting for that Purpose, of intended which Seven Days Notice shall be given; Be it enacted, That to be re- every such Notice of any Meeting to be holden for the Pur- voked, pose of revoking any such Order, shall contain a Copy of shall con- the Order proposed to be revoked, and a specific Notice tain Co- of the Intention of the Commissioners to propose the Revo- pies of cation of such Order, at the Meeting mentioned in such such Notice. Orders.

XV. And be it further enacted, That the Clause in the Clause in said former Act, relating to the Office of Surveyor of the former Act re- Highways for any Parish or Parishes within the said Town, specting and every Part thereof, shall be and the same is hereby re- Surveyor pealed. of High- ways, re- pealed.

XVI. And whereas Power is given to the said Commis- sioners by the said former Act, to levy a Rate, not exceeding One Shilling in the Pound, upon the several Occupiers of all Houses, Buildings, Gardens, Tenements, and Hereditaments within the said Town, according to the Annual Value of the same; and in the said Act there is also contained a Proviso, Exemp- tion as to Rates on Tythes, &c. in former Acts re- pealed. that nothing therein should extend or be construed to extend, to rate or assess any Person or Persons for any Tythes improp- riate, Appropriation of Tythes, Modus or customary Pay- ment in lieu of Tythes, nor for any Farm, Meadow, Pasture, or Arable Land, rented or occupied by any of the Inhabitants of the said Town of *Cambridge*, (save and except only as to the value of his, her, or their Dwelling House, Yards, Gardens, and Outhouses immediately contiguous thereto, and situate in the Town of *Cambridge* aforesaid;) and doubts having arisen concerning the Construction of the said provisional Clause; Be it enacted, That the said Clause shall be and the same is hereby repealed.

XVII. Provided always, and be it further enacted, That New Ex- nothing in this or the said former Act contained, shall extend emption as to Tythes, &c. or be construed to extend, to rate or assess any Person or Per- sons for any Tythes improp- riate, Appropriation of Tythes, Modus or customary Payment in lieu of Tythes, nor for any Farm, Meadow, Pasture, or Arable Land, rented or occupied by any of the Inhabitants of the said Town of *Cambridge*, save and except only as to the value of his, her, or their Dwelling House, Yards, Gardens, Barns, Outhouses, and all other Build- ings rented or occupied by any of the said Inhabitants, situate in the Town of *Cambridge* aforesaid.

XVIII. And

Commis-
sioners im-
powered
to sell
Overplus
Land and
Premises,
not wanted
for the
Purposes of
the Act.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Nine or more of them, to sell all or any Part or Parts of such and so many of the Messuages, Lands, Tenements, and Hereditaments, which have been or may be purchased and conveyed to them, pursuant to and for the Purposes of this and the said former Act, as may be found unnecessary in their Judgment for effectuating the Purposes thereof, for the best Price or Prices that can be reasonably procured for the same, by Public Auction, either together or in Parcels, as it shall seem most advantageous or proper, and to make an effectual Conveyance or Conveyances of the Part or Parts so sold to the Purchaser or Purchasers of the same, and the Money arising by such Sale shall be applied to the Purposes of this and the said former Act: Provided always, That such Sale shall not be made until Eight Days public Notice has been previously given in the News-papers published in the said Town (or if no Newspaper be there published, then in some other Newspaper circulated therein) of the Time and Place of such Sale; and it is hereby declared, that the Receipt or Receipts of the Treasurer to the said Commissioners, shall be an effectual Discharge or effectual Discharges to such Purchaser or Purchasers, and his, her, or their Heirs, Executors, Administrators, and Assigns, for his, her, or their Purchase Money or Purchase Monies, or so much thereof as in such Receipt or Receipts shall be acknowledged or expressed to be received, and he, she, or they, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application thereof: Provided always, That the said Commissioners, or any Nine or more of them, previous to the making Sale of, or offering to sell, under the Directions hereinbefore given, all or any Part of the said Messuages, Lands, Tenements, and Hereditaments, so found unnecessary as aforesaid, shall, and they are hereby authorized and directed, by Writing or Writings under their Hands, to give to the respective Owner or Owners, or other the Person or Persons from whom such Messuages, Lands, Tenements, or Hereditaments have been so purchased, the Liberty, Choice, and Election of re-purchasing the same, such respective Owner or Owners, Person or Persons, by Writing or Writings under his, her, or their hand or hands, within Fourteen Days next after the giving such Liberty, Choice, and Election

tion a
their
Deter
and El
to re-
tween
touchi
or Re
mined
where
inpan
to be m
ings, C
mission
of this
XIX.
any pr
the fa
forth o
munica
mission
ers sha
in Wri
to stop
comply
then th
Drain t
and pai
Default
shall an
Owners
provide
Forfeitu
concern
XX.
passing
Act, di
and clea
is hereb
all and
Cambrid
Univer

tion as aforesaid, signifying to the said Commissioners, or their Treasurer or Clerk for the time being, his, her, or their Determination, to accept or decline such Liberty, Choice, and Election, and in case he, she, or they shall determine to re-purchase the same, and any Difference shall arise between him, her, or them, and the said Commissioners, touching the Price or Value to be paid on such Re-purchase or Re-purchases, then that the Difference shall be determined by a Jury, in the same Manner as in all other Cases where a Jury are hereinafter directed to be summoned and impannelled for ascertaining the Recompence and Satisfaction to be made for or on Account of Houses, Shambles, Buildings, Grounds, or Estates to be purchased by the said Commissioners, or any Five or more of them, for the Purposes of this and the said former Act.

XIX. And be it further enacted, That if at any Time any private Drain, made by any Person or Persons within the said Town, shall be found to be offensive by sending forth or occasioning noxious Smells, or shall, by its Communication with any public Drain belonging to the Commissioners, clog or obstruct the same, the said Commissioners shall, by their Clerk, give Twenty-eight Days Notice in Writing to the Owner or Owners of such private Drain to stop up the same; and if such Owner or Owners do not comply with such Notice in the Time specified therein, then the Commissioners shall and may order such private Drain to be stopped, the Expence whereof shall be borne and paid by the Owner or Owners of such Drain; and in Default of Payment thereof upon Demand, such Expence shall and may be recovered of and from such Owner or Owners, and applied, in such and the like Manner as is provided and directed for the Recovery of Penalties and Forfeitures imposed in and by virtue of the said former Act, concerning which there is no particular Direction.

XX. And be it further enacted, That from and after the passing of this Act, the Clause contained in the said former Act, directing the Footpaths of the said Town to be swept and cleansed, and every Part thereof, shall be, and the same is hereby declared to be repealed; and that from thenceforth all and every Inhabitant and Inhabitants of the Town of *Cambridge*, and the Master of every College within the University, shall cause to be swept and cleansed, the Whole

Provision
respecting
private
Drains.

New
Clause for
sweeping
Footways

of

of the Footway, including the Kirb Stone, before their respective Houses, Buildings, Walls, Colleges, and Halls, every Day (except *Saturday* and *Sunday*) between the Hours of Six and Ten in the Forenoon, and between the Hours of Three in the Afternoon of every *Saturday*, and Nine in the Morning of every *Sunday* in the Year; and the Vice Chancellor for the Time being shall cause the Footpath before the Senate House and Senate House Walk, and the Churchwardens of every Parish in *Cambridge* for the Time being, the Footpath before the Walls of their respective Parish Churches and Church Yards, to be swept and cleansed in like Manner, and at the Days and Times above specified; and in case of Neglect in the Premises, such Inhabitant or Inhabitants, Masters of Colleges and Halls, Vice Chancellor and Churchwardens, shall respectively forfeit and pay for every such Neglect the Sum of Five Shillings, to be recovered by Distress and Sale of Goods, and applied in such Manner as is directed for the Recovery and Application of Penalties and Forfeitures by the said former Act; and in case any Person or Persons shall give information to any Justice of the Peace in and for the said Town, of any of the said Footpaths being dirty and unswept (which Information the said Justice may take without Oath) such Justice shall and may summon the Person or Persons who ought, by virtue of this Act, to cause the Footpath complained of to be swept; and such person or persons shall prove, to the Satisfaction of the said Justice, that the Directions of the Act have been complied with by him, her, or them, or otherwise shall be liable to pay the said Penalty.

Further
Penalty on
breaking
Lamps.

XXI. And whereas some of the Penalties laid by the said former Act upon Persons wilfully breaking or damaging Lamps, have not proved sufficient to prevent such Offences. Be it further enacted, That from and after the passing of this Act, if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the Lamps erected by virtue of the said Act, or any of the Posts, Iron, or other Furniture thereof, or shall extinguish any of the said Lamps, every such Offender shall forfeit and pay any Sum or Sums of Money not exceeding the Sum of Five Pounds nor less than Forty Shillings for each Lamp so broken or thrown down, damaged or extinguished as aforesaid, the Amount of such Sum or Sums to be fixed and adjudged by the Justice of

Peace

Peace
said O
or seco
same M
ing, an
the Of
mer Ad
sons m
or by a
nalty f
shall, t
to the
or Offe
Penalty
mission

XXI
said for
Streets
repeale
Person
shewn
or Hon
public
fence f
ety of
whose
Offence
Comm
Act; f
rected
and Fo
rection

XXI
ing the
any Be
or four
wants
Clause
hereby
if any
dress,
other C

Peace before whom such Offender shall be convicted of the said Offence; any Thing in the said former Act as to the first or second Offence to the contrary notwithstanding; and the same Methods shall be pursued for enquiring into, recovering, and levying the said Penalties, and otherwise punishing the Offenders, as are respectively prescribed by the said former Act with respect to the like Offences committed by Persons matriculated, or being Members of the said University, or by any other Person or Persons; One Moiety of the Penalty so adjudged to be paid by such Offender and Offenders, shall, upon the Conviction of him, her, or them, be paid to the Informer or Informers upon whose Oath such Offender or Offenders shall be convicted, and the other Moiety of the Penalty to the Treasurer or Treasurers of the said Commissioners for the Purposes of this and the said former Act.

XXII. And be it further enacted, That the Clause in the said former Act, forbidding the shewing of Stallions in the Streets of the said Town, shall be and the same is hereby repealed; and from and after the passing of this Act, any Person whomsoever shewing or exercising, or causing to be shewn or exercised, any Stallion or Stallions, or other Horse or Horses, Mare or Mares, in any of the Streets or other public Places within the said Town, shall for every such Offence forfeit and pay the Sum of Forty Shillings, One Moiety of such Penalty to go to the Informer or Informers on whose Oath any Person or Persons shall be convicted of such Offence, and the other Moiety to the Treasurer of the said Commissioners for the Purposes of this and the said former Act; such Penalty to be recovered in such Manner as is directed in the said former Act for the Recovery of Penalties and Forfeitures, concerning which there is no particular Direction.

New Penalty on shewing Stallions in the Streets.

XXIII. And whereas the Clause in the said Act, inflicting the Penalty of Ten Shillings upon any Person killing any Beasts in the said Streets, Lanes, Passages, or Places, or found guilty of divers other Offences therein set forth, wants Amendment; Be it therefore enacted, That the said Clause, and every Part thereof, shall be and the same is hereby repealed; and from and after the passing of this Act, if any Person or Persons shall kill, slaughter, singe, scald, dress, or cut up any Beast or Swine, Calf, Sheep, Lamb, or other Cattle in any of the said Streets, Lanes, Passages, or

New Clause for preventing Nuisances.

Places, or shall wash down any blood Water therein, or shall hoop, cleanse, wash, or scald any Cask, or hew or saw any Stone, Wood, or Timber, or bind, make, or repair any Wheel, or shoe, bleed, farrier, cleanse, or dress, or turn or drive loose any Horse, or wet, slack, or mix any Lime, or wet, mix, or make any Mortar, or bait or cause to be baited any Bull, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner, or shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to, or let off, or throw any Squib, Serpent, Rocket, or Fireworks whatsoever in any of the Streets, Lanes, or Public Passages within the said Town, or shall set, place, or expose to Sale, or cause, permit, or suffer to be set, placed, or exposed to sale, any Goods, Chattels, Wares, or Merchandizes whatsoever, on the Foot or Carriage Way of any Street, Lane, or public Passage in the said Town, (except the selling of Butter, Fowls, Cheese, Eggs, Corn, and other customary Articles and Things as heretofore usual on Market Days) or hang up or expose any Goods, Wares or Merchandizes, or any other Matter or Thing, so as to project beyond the Line of their Windows, every Person so offending in either of the said Cases, shall for every such Offence forfeit and pay the Sum of Twenty Shillings, over and above such Penalties as are inflicted on any or either of the said Offences by any Law or Statute now in being.

For regul-
ating
Spouts and
Gutters.

XXIV. And be it further enacted, That from and after the passing of this Act, the said Commissioners, or any Five or more of them, shall and may, when and where they shall think necessary, cause all Spouts and Gutters projecting from the Tops of Houses and Buildings within the said Town to be removed, and a Pipe or Pipes to be fixed to such Houses and Buildings, for conveying the Water down by the Sides or Fronts thereof into the common Channels or Drains of the said Town, the Expence whereof shall be borne and paid out of the monies to be collected and received by virtue of this and the said former Act; and all Houses, and Buildings hereafter to be erected and built within the said Town, shall have such Pipes affixed to them, for conveying the Water down by the Sides or Fronts of such Houses and Buildings, by and at the Expence of the Proprietor or Proprietors thereof; and if any Person shall hereafter erect, or cause to

be erected
any House
down
forfeit
such S
XX
former
Aggrega
ments
Appurte
Town
and Su
Collegi
bridge)
ditamer
the Nar
and Ph
for the
gate or
to differ
has bee
perty of
it is tho
College
Royal
after the
Money
any Bod
belongin
chase of
or either
sold, ve
transferr
Master o
being, a
and to b
the said
cerning t
XXV
if any B
son or P
Grounds

be erected any Spouts or Gutters for conveying Water from any House or Building within the said Town, otherwise than down the Sides or Fronts thereof, every such Person shall forfeit and pay the Sum of Twenty Shillings for every Week such Spout or Gutter shall remain.

XXV. And whereas Power is given in and by the said former Act, to and for any Body Corporate or Collegiate, Aggregate or Sole, to alienate and sell for ever, any Tenements or Hereditaments, and the Scite thereof, with their Appurtenances, standing or being within the University and Town of *Cambridge*, and it is provided that all and every Sum and Sums of Money to be paid to any Body Corporate or Collegiate, Aggregate or Sole (except the Corporation of *Cambridge*) for the Purchase of such Houses, Tenements or Hereditaments, should be lodged in any of the Public Funds, in the Names of the Three Royal Professors of Divinity, Law, and Physic for the Time being, within the said University, for the Use of the said Body Corporate or Collegiate, Aggregate or Sole; And whereas the blending of Money belonging to different Colleges in One Account, in the Public Funds, has been found inconvenient; and in order to keep the Property of the several Colleges of the said University distinct, it is thought expedient to add the Name of the Master of the College so alienating and selling as aforesaid, to the said Three Royal Professors; Be it therefore enacted, That from and after the passing of this Act, all and every Sum and Sums of Money heretofore paid or hereafter to be paid as aforesaid, to any Body Corporate or Collegiate, Aggregate or Sole, in or belonging to the said University of *Cambridge*, for the Purchase of any Houses, Tenements, or Hereditaments, by them or either of them heretofore or hereafter to be alienated and sold, vested or to be vested in the Public Funds, shall be transferred into, placed out, and stand in the Name of the Master of the College so alienating and selling for the Time being, as well as of the said Three Royal Professors, in Trust, and to be applied to such Uses, Intents, and Purposes, as in the said former Act are mentioned and directed of and concerning the same.

Purchase
Money for
College
Property,
to be
placed out
in the
Name of
of the
Master of
the Col-
lege.

XXVI. And whereas it is by the former Act enacted, that if any Bodies Politic, Corporate, or Collegiate, or other Person or Persons interested in the Houses, Shambles, Buildings, Grounds, or Estates therein mentioned, upon Notice to them

Jury to be
chosen
from the
county of
Cam-
bridge.

given or left in Writing as therein expressed, should, by the Space of One Month next after such Notice given or left, neglect or refuse to treat, or should not agree in the Premises, or by Reason of Absence should be prevented from treating, then and in every or any such Case the Commissioners therein named, or any Five or more of them, should cause to be inquired into and ascertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the said Town of *Cambridge*, what Recompence and Satisfaction should be made to such Owner or Owners, Occupier or Occupiers, or Proprietors or other Persons, for or on the Account of the said Houses, Shambles, Buildings, Grounds, or Estates, and the said Jury were, in the Manner therein directed, to inquire, ascertain, and settle such Recompence and Satisfaction, and the said Commissioners, or any Five or more of them, should thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the Owners or Proprietors of, or Persons interested in the said Houses, Shambles, Buildings, Grounds, or Estates, according to the Verdict of the said Jury, which said Verdict, Judgment, Order, or Determination, so had and made, should be final and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, as therein mentioned, and the said Commissioners are thereby impowered to issue their Warrant to the Mayor of the said Town of *Cambridge*, to impanel and return a Jury, and the said Commissioners are thereby authorized to summon Persons to give Evidence in Manner therein prescribed, and the Mayor, Jury, and Witnesses, are thereby subjected to certain Penalties on Neglect of their Duty concerning the same; Be it enacted, That so much, and all such Parts of the said former Act as relate to the several Powers, Authorities, and Directions herein-before recited, shall be, and the same are hereby repealed; and that from and after the passing of this Act, if any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, who are or shall be seized of or entitled unto in their own Right, or as Trustees, Feoffees in Trust, or as Femes Covert, Guardians, and Committees for Lunatics and Idiots, Executors and Administrators, and all Guardians whatsoever, in any Houses, Shambles, Buildings, Grounds, and Estates within the said Town, upon Notice to them given or left in Writing at the Dwelling House or Houses, or Place of Abode of such Person

Perlo
Bodie
Houf
Sham
made
said T
Space
or le
agree
shall
the fa
cause
Oath
of Ca
said C
admin
to suc
or Pr
said H
taken
Passag
Satisf
them,
Time
fore t
son or
and p
or co
Peace
admin
more
view t
all oth
Jury
said J
such
sioner
and d
said J
sons
Grou
Jury,

Person or Persons, or of the Head Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or at the House or Houses of the Tenant or Tenants in Possession of the Houses, Shambles, Buildings, Grounds, or Estates to be taken in and made Part of the Streets, Lanes, and public Passages of the said Town, by virtue of the said former Act, shall, by the Space of One Calendar Month next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree for the Sale of the Premises, or by Reason of Absence shall be prevented from treating; then and in every such Case the said Commissioners, or any Five or more of them, shall cause it to be enquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Cambridge* (which Oath any Justice of the Peace for the said County or Town of *Cambridge* is hereby impowered to administer) what Recompence and Satisfaction shall be made to such Owner or Owners, Occupier or Occupiers, Proprietor or Proprietors, or other Persons, for or on Account of the said Houses, Shambles, Buildings, Grounds, or Estates, to be taken into or for widening the said Streets, Lanes, and public Passages; and in order to ascertain such Recompence and Satisfaction, the said Commissioners, or any five or more of them, are hereby required and impowered, from Time to Time, as often as occasion shall be, to summon and call before the said Jury, and examine upon Oath all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath any Justice of the Peace for the said County or Town is hereby impowered to administer) and they the said Commissioners, or any five or more of them, shall also order and cause the said Jury to view the Premises in Question (if there be occasion) and use all other lawful Ways and Means the better to enable the said Jury to judge and determine in the Premises; and after the said Jury shall have enquired of, and ascertained and settled such Recompence and Satisfaction, they the said Commissioners, or any five or more of them, shall thereupon order and direct the Sum and Sums of Money so ascertained by the said Jury to be paid to the Owners or Proprietors of, or Persons interested in the said Houses, Shambles, Buildings, Grounds, or Estates, according to the Verdict of the said Jury, which said Verdict, Judgment, Order, or Determination,

tion, so had and made, shall be final and conclusive, to all Intents and Purposes, against all Parties or Persons whomsoever claiming in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Idiots, Lunatics, Cestui-que Trusts, and Persons under any Disability whatsoever, Bodies Politic, Corporate, or Collegiate; and all and every Person and Persons anyways interested in such Houses, Shambles, Buildings, Grounds, or Estates, upon Payment or Tender of the Sum or Sums of Money so ascertained as aforesaid, shall be thereby and from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, or Property of, in, to, or out of the same.

Commis-
sioners to
issue War-
rants to
impanel
Juries, and
Parties
concerned
may chal-
lenge any
Six of the
Jury.

XXVII. And be it further enacted, That for the summoning and returning such Jury or Juries, the said Commissioners, or any five or more of them, are hereby impowered to issue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of *Cambridge* for the Time being, or if such Sheriff shall be immediately interested in the Matter in Question, then to One of the Coroners of the said County for the Time being, thereby requiring such Sheriff or Coroner to impanel, summon, and return a Jury of Forty-eight Persons, and the said Sheriff or Coroner is hereby required to impanel, summon, and return Forty-eight men, qualified according to the Laws of the Realm to serve on Juries in the Trials of Issues at Law, to appear before the said Commissioners, or any five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, and the Names of the Forty-eight so returned, shall be written on Pieces of Paper, and put into a Box, and the first Twelve Persons drawn, of the Forty-eight attending, shall be Jurymen for the Purposes aforesaid; and the said Commissioners, or any five or more of them, shall cause such Jurymen to be sworn, and shall administer to them the following Oath:

“ YOU shall swear, That to the best of your Skill and
“ Judgment you will fix and ascertain the Value of
“ the Premises between the Party and Commissioners
“ acting under this Act, and a true Verdict give, ac-
“ cording to the Evidence.

“ So help you GOD.”

And

And for Default of a sufficient Attendance of Jurymen, the said Sheriff or Coroner shall return indifferent and disinterested Men then present, or that can speedily be procured to attend on that service, so as to make up the Number of Twelve: Provided nevertheless, that the said Commissioners, or any five or more of them, or the Parties interested in such Houses, Shambles, Buildings, Grounds, or Estates, may have their lawful Challenge against any Six of the said last-mentioned Jurymen, when they shall come to be sworn as aforesaid, but shall not challenge the Array of the Pannel.

XXVIII. And be it further enacted, That it shall be law-
 ful for the said Commissioners, or any five or more of them, from Time to Time to impose any reasonable Sum, not exceeding the Sum of Twenty Pounds for One Offence, on the Sheriff or Coroner making Default in the Premises, and any reasonable Sum, not exceeding Forty Shillings, on any of the Persons who after being duly summoned and returned shall not appear, or who shall refuse to be sworn on any such Jury, or being sworn thereon shall refuse to give, or shall not join in giving a Verdict thereon, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; and the said Sheriff or Coroner shall be allowed the Sum of Twenty Shillings for impannelling and returning the said Jury, and each Jurymen shall be paid the Sum of Two Shillings and Six Pence for his Attendance each Day, in Manner hereinafter mentioned; and if any Person or Persons, who being required to give Evidence before the said Jury touching the Premises, shall refuse to be sworn, or examined, or give Evidence, and having no reasonable Excuse, to be allowed by the said Commissioners, or any five or more of them, they the said Commissioners, or any five or more of them, shall and may impose such Fine or Fines, Penalty or Penalties, not exceeding the Sum of Ten Pounds, on each Person so refusing, as they shall think fit; which said respective Fines and Penalties shall and may be recovered and applied in such and the like Manner as is provided and directed for the Recovery of Penalties and Forfeitures imposed in and by virtue of the said former Act, concerning which there is no particular Direction.

Penalty on
 Sheriff or
 Coroner
 for neglect
 of Duty.

XXIX. And be it further enacted, That the Expences attending the Determination of any Question which may arise under this or the said former Act, by such Jury and Witnesses
 in

in Manner aforesaid, shall be borne and paid in the like Manner as is directed by the said former Act respecting the Payment of the Jury and Witnesses therein mentioned.

Appeal.

XXX. And be it further enacted, That the Clause in the said former Act, enabling Persons who may think themselves aggrieved by any Rate or Assessment to be made, or Penalty imposed, by or in pursuance of the said former Act, to appeal to the General Quarter Sessions of the Town, shall be, and the same is hereby repealed; and from and after the passing of this Act, if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate, Toll, or Assessment to be made or collected, or Penalty imposed by this or the said former Act, or by any Act, Order, Judgment, or Proceeding of the said Commissioners under this or the said former Act, it shall and may be lawful for such Person or Persons to appeal to the Justices at the First General Quarter Sessions of the Peace to be holden for the said County or Town next after the Expiration of One Calendar Month from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days Notice in Writing, at the least, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Treasurer or Clerk to the said Commissioners; and the Justices in such Sessions are hereby authorized and required to hear and determine the Matter of such Appeal, and to make such Determination therein as they shall judge proper, and such Determination shall be final, binding, and conclusive to all Parties, and to all Intents and Purposes whatsoever: Provided nevertheless, that in all and every Case wherein a Member of the Corporation shall be the Appellant, or the Property of the Corporation shall be concerned, the Appeal shall be to the Quarter Sessions of the Peace to be holden for the said County.

Removing
the Appeal
from the
Town to
the County
Sessions, in
certain
Cases.

Public Act.

XXXI. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

I N D E X.

AC
Act, c
Act, p
Act, n
miss
Action
the
Account
Agree
Annu
Annu
land
27-
Assess
Appeal
Do. m
Assign
fer,
Adjourn

BOOK
Bodies

CART
Cattle v

I N D E X.

A.

- A**CT, expences of, how to be paid, 29.
Act, of 35 Hen. VIII. repealed, 57.
Act, public, 60.
Act, not to be valid, unless at a meeting, at which there must be five Commissioners, 12.
Actions may be brought by Commissioners.—Expences to be defrayed out of the Rates, 36.
Accounts of officers to be verified on oath, 8.
Agreements between landlords and tenants not to be affected, 15, 18.
Annual expences, how to be raised, 58.
Annuities may be granted, and form of the grant, 26.—not to be liable to land-tax, 27.—interest of to be paid half yearly, 27.—may be transferred, 27.—form of the transfer, 28.—transfer to be entered, 28.
Assessors and collectors to be appointed, 16.
Appeal may be made to the Commissioners by persons aggrieved, 21.
Do. may be made to the quarter sessions of the county or town, 80.
Assignments of the rates and tolls may be transferred, 28.—form of transfer, 28.
Adjournment of meetings may be made by two Commissioners, 7.

B.

- BOOKS to be open to inspection, 12.
Bodies politick empowered to sell, 29.
their money to be lodged in the funds, 30.

C.

- CARTS, &c. not to be left in the streets, 46.
not to be drove faster than a foot pace, 47.
Cattle wandering in the streets, 46

L

Certiorari

I N D E X.

- Certiorari not allowed by this Act, 56.
 Cellar windows at night to be lighted, 48.
 Chairman to have the casting vote, 13.
 Collectors may be appointed, 10.—dying or incapable, others to be appointed by the Mayor and Vice-Chancellor, 10.—dying or becoming bankrupt, his estate liable to payment, 10.—to pay the money as the Commissioners shall direct, 18.
 College courts, this Act not to extend to, 37.
 Colleges empowered to sell houses, 49.—and place the purchase money in the funds in the name of the Master, &c. 49.—colleges may appoint Commissioners, 63.—and who may act without proving any qualification, 64.
 County Commissioners, 3, 63.—election of county Commissioners in case of vacancy, 4.
 Commissioners, qualification of, 5, 66.—penalty enacting not being qualified 5.—dying, or refusing to act, others to be appointed, 6.—not to act where interested, and to defray their own expences, and may act as justices, 7.
 Commissioners accepting contracts or offices of profit, not to attend meetings, 7, 68.
 Commissioners may purchase houses and buildings, giving eight days previous notice, 29.—sell the overplus which shall not be wanted, 70.
 Contracts may be made by the Commissioners, 37.—notice to be given of contracting, 37.
 between landlords and tenants not to be made void, 15, 18.—persons accepting same, incapable of acting as Commissioners, 7, 68.
 Conveyances to be executed upon payment of purchase money, 34.
 Conviction, form of, 48.
 Corporation, Commissioners of, 3, 4, 63.
 quota of general expence, 57.
 annual expence, 60.
 quota how to be recovered, 60.
 rights of, not to be affected by the Act, 57.
 may alter the market-place, 52.
 arrears, 67.
 Costs treble, 56.
 in action against the Commissioners, to be paid out of the rates, 51.

D.

- DISTRESS not unlawful for want of form, 55.
 Dower, right of, barred, 35.
 Drains vested in Commissioners, 36.—not to be altered without consent of Commissioners, 39.—private, to be made and cleansed, 39.—private may be stopped up, 71.

E.

- EXPENCES of juries and witnesses how to be paid, 33.

Expences

I N D E X.

Expences of the paving, &c. to be ascertained, 57.
Evidence, persons refusing to give, to forfeit 51. 53.

F.

FAIRS, proviso for, 52.
Farms not to be rated, 15.
Foot-paths when to be swept, 40, 71.

G

GENERAL issue, 56.
Gravel, power to dig, 38.
 pits to be filled up, 38.
Gutters may be removed, 74.
 in what manner to be put up hereafter, 74.

H.

HIGHWAYS, surveyors of, 13.
Hobson's conduit, if the pipes are damaged the same to be repaired, 53.
 water flowing therefrom, regulated, 54.
Houses and buildings to be purchased by Commissioners, 29.—eight days
 notice to be given previous to such purchase, 29.
House empty, 9.—owners of empowered to sell, 29.—may be num-
 bered, 53.

I.

INCROACHMENTS, &c. to be removed, 45.
 made within seven years, to be taken down at
 the owner's expence, 45.
 not to be made by builders, 46.
 rate for, how to be regulated, 50.
Information of offences to be given within one month, 51.
Inhabitants may be witnesses, 54.
 exempt from toll, unless they travel for hire, 24.
Innkeepers not to be Commissioners for parishes, 7.
Jury to determine differences, 30, 31.
 to be summoned out of the county, 78, 79.
 may be challenged, 32.
 to be summoned by the Sheriff, 32, 78, 79.
Juries may be fined if they do not appear, 33, 78, 79.
 to be sworn, 33, 78.

I N D E X.

L.

- LAMPS may be fixed up in the streets, 36.
- breaking or damaging, 42, 72.
- Lands, farm, or tithes, not to be rated, 15, 69.
- Limitation of actions, 56.
- Land tax upon houses pulled down, to be paid by the Commissioners, 67.
- Landlords and tenants, agreements between, not to be affected, 15, 18.
- Landlords, who are to be deemed landlord and tenant, 20.

M.

- MATERIALS old, to be sold, 36.
- exempted from sluice and town toll, 51.
- Majority of Commissioners to exercise the powers of the act, 12.
- Markets; proviso for, 52.
- Market-place may be altered by Corporation, 52.
- Meetings, first and future appointed, 7.
- three days notice of, 7.
- five Commissioners necessary to constitute a meeting, 12.
- two Commissioners may adjourn any meeting, 7.
- Money may be raised by rates, 13.
- to be paid by the Treasurer as ordered by the Commissioners, 13.
- may be raised by tolls, 22.
- may be borrowed at interest, 25.
- may be borrowed upon annuities, 26.
- to be taken up at interest, not to exceed 6000l. in the whole, 26.
- to be raised, under the second Act, not to exceed 5000l. 62.
- fourteen days notice of borrowing to be given, 27.
- raised, to be vested in the Commissioners, 28.

N.

- NECESSARY houses not to be emptied at any other time than between eleven o'clock at night, and four in the morning, 47.
- Notice to be given of meetings, 7.
- of borrowing money, 27.
- of widening the streets, 29.
- of contracting, 37.
- of purchasing buildings, &c. 29.
- Nuisances in the streets, 43, 73.

O.

- OFFENCES, information of to be given within one month, 51.
- Officers to be appointed by Commissioners, 8.

Officers

Officers
just,

more

in an
Orders
made

Owners

Overplu

PAVE

Parish

Penaltie

Pits wh
Plaintif
Poor ra
Preferen
Private

Proceed

tioran
Propriet
differ
Proporti
Purchas
in the

QUALI

I N D E X.

- Officers to deliver written accounts to Commissioners, and swear they are just, 8.
on refusal, may be sued by Commissioners and brought before two or more justices, 9.
may be committed for want of distress, 10.
not to act as Commissioners. 11.
not to take fee or reward other than their salaries, nor to be interested in any contract, under the penalty of 50l. 11.
Orders not to be revoked, unless by a greater number of Commissioners than made the same, 12.
notice to be given of such intended revocation, 68.
Owners, who shall be deemed such, 20.
of houses, &c. empowered to sell, 29.
Overplus land and premises, to be sold by the Commissioners, 70.

P.

- PAVEMENTS to be repaired on complaint, 22.
vested in Commissioners. 36.
not to be altered without consent of Commissioners, 39.
Parish Commissioners, how to be elected, 4, 5.
how long to continue in their office, 6.
qualification, 5.
oath, 6.
additional number, 65.
Penalties, Commissioners may compound for, 48.
how to be recovered where not otherwise specified, 50.
Pits where gravel is dug to be filled up, 38.
Plaintiff not to recover after tender of amends, 55.
Poor rate of houses pulled down, to be paid by Commissioners, 67.
Preference not to be made in respect of priority, 26.
Private drains to be made and cleansed, 39.
may be stopped up, 71.
Proceedings to be entered, 12.
not to be quashed for want of form, nor removeable by Certiorari, 56.
Proprietors refusing to treat with the Commissioners, a jury to determine the difference, 30, 31, 76, 77.
Proportions of money payable by the several bodies, 57, 58.
Purchase money paid for houses belonging to bodies politick, to be invested in the funds, 30, 75.
of trust estates, to be laid out again, 49, 50.

Q.

QUALIFICATION of Commissioners, 5.

RATES

I N D E X.

R.

RATES may be levied, 13.
 additional, 65.
 to be paid quarterly, 14.
 books to be inspected, 14.
 on houses let to divers tenants, to be paid by the tenant assessed, 14.
 how to be borne between landlord and tenant, 15.
 how to be recovered, 16.
 may be amended, 17.
 to be apportioned between occupier quitting and coming in, 21.
 may be assigned as a security for money borrowed, 25.
 exemption from, 66, 69.

S.

SCAVENGERS may lodge dirt in the streets, 42.
 to have the ashes, dust, muck, &c. produced by sweep-
 ing, 40.
Sewers vested in Commissioners, 36.
 not to be altered without their consent, 39.
Security to be taken from officers, 8.
Stallions not to be shewn in the town, 53, 73.
Streets, notice to be given of widening of, 29.
 to be swept twice a week, 40, 71.
 cattle not to wander in, 46.
 names of, may be put up, 53.
Surveyors to inspect the works, 37.
Surveyors of the highways, 13, 69.
Spouts may be removed, 74.

T.

TENANTS removing before charges paid, 19.
 paying more for charges than shall be due for rent, the overplus
 to be made good by landlord, 19, 20.
Timber, &c. being left in the streets, 47.
Tithes, &c. not to be rated, 15, 69.
Title of premises conveyed to Commissioners, where it cannot be made good
 the money to be paid into the bank of England, 34.
Tolls may be levied by Commissioners, 22.
 vested in Commissioners, 23.
 may be distrained for, 23.
 may be demanded in any part of the town, 24.
 may be let to farm, and payment made in advance, 24, 25.
 inhabitants exempt from, except travelling for hire, 24.
 may be assigned, as a security for money borrowed, 25.

Toll

I N D E X.

- Tolls may be reduced, 24.
 - additional, 66.
- Town quota of general expence, 57.
 - annual expence, 58.
- Treasurer may be appointed by Commissioners, 8.
 - to pay money as ordered by them, 13.
 - his accounts to be audited yearly, on the first Monday in January, 13.
- Treble costs, 56.

U.

- UNIVERSITY, saving clause of the rights of, 57.
 - quota of general expence, 57.
 - quota of annual expence, 58.
 - quota under the second Act, 62,
 - how to be received, 59.
 - may borrow money, 58.
 - Commissioners, 3, 63, 64, 65.

W.

- WAGES of labourers, to be settled by justices, 21, 22.
- Water pipes, damage done to, 53.
 - flowing from Hobson's conduit, 53, 54.
- Wheelbarrows, &c. not to be driven on foot pavements, 47.
- Witnesses, inhabitants may be, 54.
- Workmen not to be interrupted, 39.

F I N I S.

J. D. I.

The following is a list of the
names of the persons who have
been appointed to the various
positions in the office of the
Secretary of the Treasury
since the year 1800.

1800. J. D. I.
1801. J. D. I.

1802. J. D. I.
1803. J. D. I.

1804. J. D. I.
1805. J. D. I.

1806. J. D. I.
1807. J. D. I.



